



PLANNING AGENDA

Tuesday, 25 July 2017

The Jeffrey Room, St. Giles Square, Northampton,
NN1 1DE.

6:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Jamie Lane (Deputy Chair)

Councillors: James Hill, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Julie Davenport, Jane Birch, Nazim Choudary, Zoe Smith, Arthur McCutcheon and Brian Markham.

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 4th July, 25th July, 5th September, 26th September, 17th October, 21st November, 19th December 2017 and 16th January, 13th February, 13th March, 10th April, 8th May and 7th Jun 2018.

The Council permits public speaking at the Planning Committee as outlined below:

Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.

NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
 - In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- by email to: democraticservices@northampton.gov.uk

When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.
- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers

- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 25 July 2017
at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
 - (A) N/2016/1439 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR CONSTRUCTION OF 15 NO. 3-BEDROOM DWELLINGS. THE SILVER CORNET PUBLIC HOUSE, 21 WELLAND WAY**
 - (B) N/2017/0271 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS - RETROSPECTIVE. 11 COWPER STREET**
 - (C) N/2017/0386 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 48 SOUTHAMPTON ROAD**
 - (D) N/2017/0448 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE OF MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 39 QUEENS ROAD**

- (E) N/2017/0465 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 55 DELAPRE CRESCENT ROAD
- (F) N/2017/0513 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS (PART RETROSPECTIVE). 131 SOUTHAMPTON ROAD
- (G) N/2017/0577 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 72 SOUTHAMPTON ROAD
- (H) N/2017/0590 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS WITH NEW ROOFLIGHT. 20 THIRLESTANE ROAD
- (I) N/2017/0620 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 7 OCCUPANTS (SUI GENERIS) INCORPORATING DEMOLITION OF EXISTING GARAGES TO PROVIDE HARD SURFACE FOR PARKING AREA. 5 ELYSIUM TERRACE
- (J) N/2017/0653 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 22 CRANSTOUN STREET
- (K) N/2017/0680 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 23 KING EDWARD ROAD
- (L) N/2017/0710 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 100 SOUTHAMPTON ROAD
- (M) N/2017/0757 - ADDITIONAL CAR PARKING PROVISION TO INCLUDE DISABLED AND COACH PARKING, ADDITIONAL PEDESTRIAN AND DELIVERY PROVISION, LIGHTING AND FENCING. DELAPRE ABBEY

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972
Para No:-**

PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS Anyone may record meetings of the Council, the Cabinet, any Committee or Sub-Committee of the Council through any audio, visual or written method to include taking photographs of meetings, filming meetings or making audio recordings of meetings. The Chair of the meeting shall have the discretion to revoke the permission in the event that the exercise of the permission is disturbing the conduct of the meeting in any way or when it is otherwise necessary due to the nature of the business being transacted at the meeting. Permission may only be exercised where the public have the right to attend the meeting; and if a meeting passes a motion to exclude the press and public, then in conjunction with this, all rights to record the meetings are removed.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 4 July 2017

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Davenport, Golby, J Hill, Kilbride, Kilby-Shaw, B
Markham, M Markham, McCutcheon and Smith

OFFICERS: Peter Baguely (Head of Planning), Nicky Toon (Development
Management Team Leader), Ben Clarke (Principal Planning Officer),
Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services
Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Choudary.

2. MINUTES

The minutes of the meeting held on 13th June 2017 were agreed and signed by the
Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That under the following items, the members of the public and Ward
Councillors listed below were granted leave to address the Committee.

N/2017/0172

Councillor Beardsworth

N/2017/0449

Thomas Laight
Christine Lack

N/2017/0466

John Bright
Jill Harris
Wes Boswell
Jacqueline Abbott

N/2017/0589

Councillor Smith
Councillor Stone

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal non-pecuniary interest in item 10b by virtue of
being a board member of Northampton Partnership Homes.

Councillor M Markham declared a personal non-pecuniary interest in item 10b by virtue of being a board member of Northampton Partnership Homes

Councillor Davenport declared a personal non-pecuniary interest in item 10c by virtue of being the ward councillor.

Councillor Kilby-Shaw declared a personal non-pecuniary interest in item 10a by virtue of being the ward councillor and advised that he would leave the meeting when this item was being heard.

Councillor Smith declared a personal non-pecuniary interest in item 10e by virtue of being the ward councillor and advised that she would be speaking on the application, then leaving the meeting.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Management Team Leader submitted a List of Current Appeals and Inquiries and elaborated thereon. Members were informed that Application number N/2016/0783 had been allowed at appeal. The application was refused under delegated powers on parking grounds but the Inspector considered as the proposal allowed for a provision of 3 on-site parking spaces, the location was well served by public transport and that car ownership is generally low amongst HIMO residents, the application was acceptable.

7. OTHER REPORTS

(A) LOCAL VALIDATION REQUIREMENTS 2017

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members were informed that the Local Validation Requirements stipulated the minimum information that a planning application should contain. Developers benefitted from this as information would be readily available, and therefore they could prepare the required information in advance of submitting a planning application. Local Planning Authorities would also receive the required information up front, meaning that timely decisions could be made. Officers were required to revise the Local Validation Requirements every 2 years. The documents had been reformatted to make them as user-friendly as possible and further amendments had been made to reflect changes in local circumstances and changes to planning policy. The revised validation requirements had been subject to external consultation and some amendments had been made following this process.

RESOLVED:

That the revised draft Local Validation List be **APPROVED**.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2017/0172 - SINGLE STOREY FRONT EXTENSION, FIRST FLOOR FRONT EXTENSION, AND REAR DORMER. 44 ST JOHNS AVENUE

At this juncture of the meeting Councillor Kilby-Shaw left the room, having declared a personal non-pecuniary interest in the item.

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained a letter of support. Mention was also made of an extension to the adjoining property but officers deemed that the proposed extension would significantly overbear and overshadow no. 42 St Johns Avenue contrary to policy and guidance.

Councillor Beardsworth addressed the Committee. She stated that with the addition of a new child last year, the applicants, now with 5 children, had outgrown their home. They had good relations with their neighbours who wanted the family to stay, hence the letter of support from no. 42. She further commented that regarding the "45 degree rule" the property would only impact the neighbouring property's kitchen. The applicants felt that their house was pushed back in relation to the neighbouring properties and that the proposal was not dissimilar to the adjoining property's extension.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** for the following reason:

The development proposed would by virtue of its siting, scale and mass, result in an unacceptable impact on the adjoining neighbouring property (number 42 St. Johns Avenue) in terms of overbearing and overshadowing to the detriment of residential amenity contrary to the aims and objectives of the National Planning Policy Framework, Policies H18 and E20 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document.

Councillor Golby joined the meeting at this point.

(B) N/2017/0449 - SINGLE STOREY BUNGALOW EXTENSION. KELMSCOTT CLOSE

At this juncture of the meeting Councillors Kilbride and M Markham left the room, having both declared personal non-pecuniary interests as board members of Northampton Partnership Homes.

Councillor Kilby-Shaw re-entered the room.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members heard that the proposed development would not lead to any undue impact on light or privacy and no objections had been raised from the Highways authority; the site being on Northampton Borough Council owned land was the only reason the item was being brought before the Committee.

Thomas Laight, of a neighbouring property, addressed the Committee. He voiced concerns about access; the only path leading to the development site was very narrow and he questioned how construction vehicles would navigate the area. He further noted concerns about security, noise and debris, stating that a number of the residents in the area were elderly or disabled.

Responding to questions, Mr Laight stated that he did not oppose the extension, only the inconvenience that the construction of it would cause himself and his neighbours.

Christine Lack, of a neighbouring property, addressed Members, voicing parking concerns. She stated that there were 2 properties to every parking space in the area. She noted that a number of the residents were blue badge holders, some residents had carers coming and going throughout the day and that there were usually ambulances arriving every 2-4 weeks.

In response to questions to officers, Members heard that the construction process was likely to be short by reason of the scale of the construction process. As a consequence, a condition covering the hours in which construction works could take place would be unduly onerous. Furthermore, matters of access to the site during the build process were for the developer to resolve. The Head of Planning commented that the developer was Northampton Partnership Homes and that they were bound by the Considerate Contractors scheme.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out below and for the following reason:

The proposed development due to its siting, design and scale would not result in any adverse impact on the character of the existing dwelling and wider area or adjacent residential amenity. The proposed development would accord with the Policies H18 and E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extensions and Alterations Design Guide and the aims and objectives of National Planning Policy Framework.

(C) N/2017/0466 - CHANGE OF USE FROM THREE BEDROOM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR FOUR OCCUPANTS. 105 SOUTHAMPTON ROAD

Councillors Kilbride and M Markham re-entered the room.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum and also highlighted that two further objections had been received. The Committee heard that it was the position of officers that there were no other HIMO properties in the area. This was based upon evidence that the Council holds, which includes records on the granting of planning permissions and licences. However, were it the case that addresses mentioned by objectors were operating as HIMOs, concentration would still be under capacity at 8.9%. It was noted that a number of recent applications that had been refused on parking grounds had been allowed at appeal, showing that the Inspectors gave weight to the location of local amenity and public transport links.

John Bright of Southampton Road addressed the Committee. He stated that in his area on the street, there were 17 HIMO properties out of 50, making the concentration of shared houses more than 30%. He voiced major parking concerns, commenting that people were parking on double-yellow lines, on junctions and double-parking. Foreign residents and students who might not know NBC refuse policies were cited as reasons for the refuse and fly-tipping issues the street suffered with. Mr Bright stated that social cohesion could not happen with the high number of transient residents in the area.

In response to questions, Mr Bright informed the Committee that he had been a resident of Southampton Road for 5 years and the parking and refuse issues had been exacerbated in the last 3. He also stated that he looked at HIMOs in his area of the street, not a 50m radius around the application site.

Jill Harris of Southampton Road addressed the Committee, stating that antisocial behaviour had increased along with the increase in HIMO properties to the point where the Police had been called on numerous occasions. She voiced concerns around refuse, fly tipping and parking, noting that on two occasions, ambulances could not access the street due to the number of cars parked there.

Wes Boswell, the owner of the property, addressed the Committee, stating that he wished to address residents' two main objections: parking and refuse. He informed the Committee that he had carried out his own parking survey which showed that there were numerous spaces available throughout the day. He also quoted statistics that showed that car ownership was generally low amongst students. He would be providing bicycle storage to the rear of the property along with waste storage, and would be advising any tenants to call him if more than 2 green refuse sacks were to be put out on collection day so he or an associate could remove them, eliminating excess street waste.

In response to questions, Mr Boswell said that he would have no issue implementing a rule prohibiting car users from renting rooms in the property. This was his first HIMO application and had not felt he needed to impose such a rule on the other properties he rented out. He also stated that he and his wife, who both ran the business, had personal relationships with all of their tenants and that it was their practice to give neighbours of their properties his phone number, so they were reachable if any issues arose.

Jacqueline Abbott, a local resident and landlord, addressed the Committee. She had lived in Delapre for 15 years, owned 4 properties in Far Cotton and was a regular attendee at local residents' association meetings. She stated that the increase in HIMOs was nothing more than supply and demand and that the objectors would do better spending their time scrutinising the existing unlicensed HIMOs in the area.

Responding to questions, Mrs Abbott agreed that overcrowding could happen in a HIMO that wasn't checked, but noted that her properties were checked regularly.

The Head of Planning clarified that Article 4 only applied to new HIMO applications, not to properties that had already been converted.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out below and for the following reason:

The proposed development is considered acceptable in principle as it would not result in an overconcentration 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 a Local 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 Policies E20 and 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.

(D) N/2017/0557 - LISTED BUILDING APPLICATION FOR DEMOLITION OF EXISTING CHANGING ROOM FACILITIES AND INSTALLATION OF AND RECONFIGURATION OF THE SWIMMING POOL CHANGING FACILITIES. MOUNTS BATHS, UPPER MOUNTS

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Committee heard that the application sought to reconfigure the changing rooms to comply with Sport England requirements and that the development would cause no harm to the character of the building.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out below and for the following reason:

The proposed works would not harm the character and significance of this Grade II Listed Building and as a consequence the proposal is compliant with the requirements of the National Planning Policy Framework; Policies S10 and BN5 of

the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

(E) N/2017/0589 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5NO OCCUPANTS. 21 FLORENCE ROAD

At this juncture of the meeting, Councillor Smith moved to public seating.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum, in which further comments had been received from the applicant. The Committee were informed that the property already had planning permission for a change in use to a 4-bed HIMO; this application would see the upstairs double bedroom used for 2 people.

Councillor Smith addressed Members as the ward councillor for Abington. She stated that with the recent appeal decisions, it seemed like the Planning Committee were being held hostage by the Inspectors. She further stated that public safety was being infringed; there were so many cars parked on the roads that people could not easily see what they were walking into.

Councillor Smith then left the meeting.

Councillor Stone addressed the Committee as a resident of Abington. She noted that the original application was made 2 years ago under different circumstances and was not satisfied that the Planning Committee had enough information to make a proper judgement so asked that the item be deferred to a future Planning Committee. Councillor Stone said that families were being evicted from their homes so that they could be turned into HIMOs and in doing so, caused the families undue unhappiness and distress. She stated that the area had become unbalanced; there was a lack of social cohesion and a rise in antisocial behaviour and that due to the lack of parking, near-fatal accidents happened all of the time.

In response to questions to officers, the Committee were informed that the existing application would expire in 2018. They also heard that should this application fail, the applicant could fall back onto the existing one.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out below and for the following reason:

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk of flood. Notwithstanding existing parking conditions in the area, the site is in a very sustainable location close to a Local Shopping Centre and bus stops on Wellingborough Road and local 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, Policies E20 and 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.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

13. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

The meeting concluded at 8:26 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 25th July 2017

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2016/0848 APP/V2825/W/17/3170057	DEL	Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 residents at 32 Burns Street	AWAITED
N/2016/1073 APP/V2825/W/17/3169221	PC	Outline planning permission with all matters reserved except access for residential development of up to 30 residential dwellings with associated open space, car parking and vehicular access from Booth Rise and demolition of 58 and 62 Booth Rise on the Land to the Rear of 62 Booth Rise	AWAITED
N/2016/1420 APP/V2825/W/17/3172866	DEL	Change of use from residential care home (Use Class C2) to house in multiple occupation for 7 persons (Sui Generis) at 121 Colwyn Road	AWAITED
N/2016/1456 APP/V2825/W/17/3172592	DEL	Change of use from ancillary coach house (used as photographic studio) into one bedroom dwelling to the Rear of 54 Ashburnham Road	AWAITED
N/2016/1476 APP/V2825/W/17/3176700	PC	Change of Use from Dwelling (Use Class C3) to a House in Multiple Occupation (Use Class C4) for 6 residents at 61 Abington Avenue	AWAITED
N/2016/1546 APP/V2825/W/17/3174616	DEL	Change of use from dwelling house (Use class C3) into house in multiple occupation for 4 occupants (Use class C4) on a fixed-term temporary basis only at 26 Burns Street	WITHDRAWN
N/2016/1634 APP/V2825/W/17/3173997	DEL	Erection of detached dwelling (Re-submission of application N/2016/1157) at 12 Brookland Road	AWAITED
N/2017/0005 APP/V2825/W/17/3171501	PC	Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 5 persons at 54 Bostock Avenue	AWAITED
N/2017/0020 APP/V2825/D/17/3174166	DEL	Two storey side extension with additional room in the roofspace and front porch at 4 Tanglewood	AWAITED
N/2017/0081 APP/V2825/D/17/3177126	PC	Proposed single storey rear extension including garage conversion at 20 Reedhill	AWAITED
N/2017/0196 APP/V2825/D/17/3179066	DEL	First floor extension to side addition to existing dwelling at 63 Hamsterly Park	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - www.planningportal.co.uk

Local Government (Access to Information) Act 1985
Background Papers
The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager
Telephone 01604 837237
Planning and Regeneration
The Guildhall, St Giles Square,
Northampton, NN1 1DE



Addendum to Agenda Items Tuesday 25th July 2017

10. ITEMS FOR DETERMINATION

10a

N/2016/1439

Outline planning application with all matters reserved for construction of 14 no. 3-bedroom dwellings

The Silver Cornet Public House, 21 Welland Way

No update.

10b

N/2017/0271

Change of Use from Dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) for 5 occupants – retrospective

11 Cowper Street

Additional Condition:

6. The basement shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and in the interest of amenity and in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10c

N/2017/0386

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

48 Southampton Road

No update.

10d

N/2017/0448

Change of Use from Dwellinghouse (Use Class C3) to House of Multiple Occupation (Use Class C4) for 5 occupants

39 Queens Road

WITHDRAWN from agenda.

10e

N/2017/0465

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

55 Delapre Crescent Road

No update.

10f

N/2017/0513

Change of Use from Dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) for 4 occupants (part retrospective)

131 Southampton Road

An additional representation has been received raising objection on the basis of refuse storage and fly-tipping issues related to the HIMO, parking grounds.

Officer Response: Issues raised in this representation are already discussed in officer's report.

10g

N/2017/0577

Change of Use from Dwelling (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

72 Southampton Road

Additional comments received from the applicant, summarised as follows:

- The existing property is spacious and can easily accommodate 4 or 5 persons
- Will be adopting a 2 car maximum per household policy on tenancy agreement
- Parking is likely to be reduced as the tenants will be students
- Have provided a secure cycle shed to rear of property
- Refuse will be controlled and tenants made aware of rubbish collection times
- Students generally rely on public transport
- Students will contribute to local employment by working for local businesses

Additional Condition:

6. The first floor common room as shown on submitted drawing 217005.02 shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and in the interest of amenity and in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10h

N/2017/0590

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants with new rooflight

20 Thirlestane Road

No update.

10i

N/2017/0620

Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation for 7 occupants (Sui Generis) incorporating demolition of existing garages to provide hard surface for parking area

5 Elysium Terrace

Two additional representation have been received raising objection on the basis of refuse storage, parking grounds, demolition of existing garages.

Officer Response: Issues raised in these representations are already discussed in officer's report.

Supporting statement has been submitted by applicant to address the issues raised though neighbour's representation. The statement has been summarised as follow:

- The proposal has been amended to 7 occupants. There are two kitchenettes on ground levels offering fridge space / microwaves / toaster and sink drainage individual to these rooms.
- The parking provision allows for 4x vehicles and will be securely sealed with a gate and fence.
- The cycle storage has been provided as required by Council Parking standards.
- Bin storage to the rear will be provided to avoid dumping the refuse on the streets
- The intention is to rent the development to professional people.

10j

N/2017/0653

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

22 Cranstoun Street

Town Centre Conservation Area Advisory Committee the proposal should be assessed against the Council's HIMO Policy.

Additional Condition:

6. The basement shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and in the interest of amenity and in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10k

N/2017/0680

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

23 King Edward Road

No Updates.

10l

N/2017/0710

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

100 Southampton Road

No updates.

10m

N/2017/0757

Additional car parking provision to include disabled and coach parking, additional pedestrian and delivery provision, lighting and fencing

Delapre Abbey

Arboricultural Officer – The construction methodology does generally accommodate the trees and reduces any adverse impact. However additional information is required and a number of elements require clarification: The amount of hard surface within the root protection area of trees T38, T42, T43 and T44 must be reduced. Clarification is required of the levels and methodology for access and egress from the main drive and parking areas in the RPA of trees T5/ T8 and T21. Consideration should be given to having a uniform surface for all car parking to reduce the visual impact.

Officer Response: In response to the above, additional conditions are recommended as follows:

(10) Notwithstanding the submitted plans, revised details of the layout of car parking within the root protection area of trees T5, T8, T21, T38, T42, T43 and T44 to reduce the proportion of development within the Root Protection Areas (RPA) to no more than 20% shall be submitted to

and approved in writing by the Local Planning Authority. Such details shall be submitted and approved before any work is carried out on site within the specified RPAs. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the character and appearance of the Conservation Area and the setting of the Listed Buildings, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(11) Notwithstanding the submitted plans, further details and clarification shall be submitted to the Local Planning Authority in respect of the levels of the parking areas within the Root Protection Areas (RPAs) of T5, T8 and T21, including any amendments necessary. Such details shall include the method of construction with the RPAs and the finished levels of the surfacing. The details shall be submitted to and approved by the Local Planning Authority prior to the commencement of any work within the specified RPAs. The development shall thereafter be carried out in accordance with the details as clarified or amended.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the character and appearance of the Conservation Area and the setting of the Listed Buildings, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

Police Crime Prevention Design Advisor – In addition to the proposed gates, it would be sensible to have height restriction barriers in place as well. Details requested as to proposed access to the site for those living beyond the gates. A gate should be provided as well at the entrance to the site from London Road. Details of monitoring of CCTV are required as well as further details of lighting and gates.

Officer Response: In response to the above, it can be noted that the proposed gates and fencing are no longer a part of the development which is recommended for approval. In addition, details of lighting will have to be provided under the discharge of planning condition in due course. In respect of CCTV coverage, it has been confirmed that this would be fed back to the town centre CCTV monitoring station.

One additional letter received from a neighbouring occupier, making the following points:

- The existing single track drive has a safety issue which will get worse. All this needs is a sign to state this is a single track road with passing places. Cycle route across the end of the drive is dangerous.
- Gates at the entrance to the drive are necessary as there is a real security issue.

Officer Response: In response to the above it can be noted that the cycle track falls outside the scope of this application, as does any gate at the entrance to the site. In respect of signage along the single track road, it has been confirmed that signage will be provided in due course.



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1439

LOCATION: The Silver Cornet Public House, 21 Welland Way

DESCRIPTION: Outline planning permission with all matters reserved for construction of 14 no. 3 bedroom dwellings

WARD: Kings Heath Ward

APPLICANT: Mr Ashraf Uddin Razzaque
AGENT: Fox Architectural Design

REFERRED BY: Head of Planning
REASON: Part Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

1.2 The principle of residential development for the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5-year housing supply. Subject to the conditions below, the development would result in the effective reuse of this vacant site and would have a neutral impact upon the character of the area, adjacent residential amenity and highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S3, S10, H1 and BN7 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application seeks outline planning permission, with all matters reserved for the erection of 14 x 3 bedroom dwellings. The submitted indicative layout shows the dwellings positioned facing outwards towards Welland Way, South Oval and Park Walk with associated parking for 17 vehicles. The main vehicular access to the site would be from Welland Way to a courtyard providing parking for 10 vehicles to the rear. In addition 5 parking spaces would have direct frontage onto Welland Way and 2 would have direct frontage onto South Oval. There are no parking restrictions within the area.

3. SITE DESCRIPTION

- 3.1 The application site is located on the corner of South Oval and Welland Way on the Kings Heath Estate. The site was formerly occupied by the Silver Cornet Public House, however this has since been demolished and the site has remained derelict for over 10 years. The site is bounded by Welland Way to the north, South Oval to the east, an unnamed access road that leads to the rear of the adjacent residential flats to the south and Park Walk, a pedestrian walkway that links Park Crescent East and Park Square, to the west. Beyond Park Walk is Kings Heath Park. The surrounding area primarily consists of residential accommodation of a variety of scales and types.

4. BACKGROUND/PLANNING HISTORY

- 4.1 The application site is one of two former public house sites located on the Kings Heath Estate. The other former Morris Man public house site was granted planning permission in 2013 (N/2013/0048 refers) for the erection of 15 dwellings. The site, which is almost identical to the current application site has since been developed.
- 4.2 The current application site was granted planning permission for the erection of 8 dwellings and 4 flats in 2006 (N/2006/0272 refers). An extension of time to implement the planning permission was granted in 2012 (N/2012/0028). Despite this, the site has remained undeveloped and derelict and has been a source of constant complaints to Enforcement Officers and Northamptonshire Police for anti-social behaviour and fly tipping.
- 4.3 The current application was submitted in October 2016 and followed an application for pre-application advice submitted in 2015 (ENQ/2015/1359).

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 14 advises that at the heart of the NPPF is a presumption in favour of sustainable development.

Paragraph 17 advises on the need to seek secure high quality design and a good standard of amenity for existing and future occupants. In doing this planning should also take into account the differing roles and characters of areas. The same paragraph also encourages the development of previously developed sites.

Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need to travel is minimised.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.

Paragraph 50 advises on the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, planning for a mix of housing based on current and future demographic trends and the needs of different groups in the community.

Paragraph 53 advises that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

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

Paragraph 58 seeks to ensure that planning decisions aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

Paragraph 103 states that when determining planning applications, care should be taken to ensure that flood risk is not increase elsewhere and that priority should be given to the use of sustainable urban drainage systems.

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 SA: Presumption in Favour of Sustainable Development – advises on taking a positive approach towards development proposals that reflects a presumption in favour of sustainable development and approving applications that accord with development plan policies unless material considerations indicate otherwise.

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings during the plan period 2011 to 2029.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations; protect, conserve and enhance the natural and built environment; enhance biodiversity and reduce the fragmentation of habitats; and minimise pollution from noise, air and run off.

Policy H1: Housing Density and Mix and Type of Dwellings – advises that new housing development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs making the most efficient use of the land having regard to the location and setting of the site, existing character and density, accessibility to services and public transport, the living conditions of future residents, and impact on the amenities of neighbouring occupiers.

Policy BN7: Flood Risk – all new development proposals should demonstrate there is no increased risk of flooding to existing properties.

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 – the design of any new building should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning Out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NCC Highways** – object to the application as the proposal does not provide 2 on plot parking spaces per dwelling. Also state that rear parking courts are not accepted as they are underutilised by residents. Make general comments about the requirement for access widths and visibility splays.

6.2 **NCC Lead local Flood Authority** – following the receipt of amended details, no objection subject to a condition for the submission of a surface water drainage scheme for the site.

6.3 **Environment Agency** – no objection subject to a condition for the submission of a mains foul water drainage scheme for the site.

6.4 **Crime Prevention Design Advisor** - following the receipt of amended details, no objection subject to satisfactory boundary treatment and surveillance and lighting of the rear courtyard.

7. **APPRAISAL**

Principle

7.1 Both the NPPF and the JCS have a presumption in favour of sustainable residential development. The application site is located on a residential estate which contains schools, shops, community centres and a church, all within walking distance. In addition the site is within walking distance of the Heathfield Way Industrial Estate and is served by three bus services with a bus stop almost opposite the site on South Oval.

7.2 By reason of the site's sustainable location, it is considered that the principle of developing this site for residential purposes is acceptable. The proposal would also allow for the appropriate re-use of this previously developed and now unused site, in a manner that is complementary to the existing land uses.

7.2 The proposed development proposes the provision of 14 dwellings, which is a density that is consistent with the prevailing character of the environs of the application site. The proposal includes the provision of 17 off-street car parking spaces, which is considered to be an appropriate provision given the location and scale of the proposed dwellings.

7.3 Details of access, layout, appearance, scale and landscaping would be considered at reserved matters stage, the consideration of which would seek to ensure the development is in accordance

with policy and appropriate to the surroundings. The indicative layout indicates that the site could accommodate up to 14 dwellings without leading to any unacceptable impacts on adjacent residential amenity. In addition the proposal would provide sufficient private amenity space and it has been configured so that the dwellings overlook the proposed access and parking court providing appropriate surveillance. As such, it is not considered that the development of the site would lead to any unacceptable adverse impact on residential amenity.

- 7.4 The residential development of the site would contribute towards the Council's 5-year housing supply, and in view of the above considerations, the principle of residential development is considered acceptable and in accordance with policy requirements.

Highway Impacts

- 7.5 Although the site has been vacant for a number of years, it should be recognised that it was previously used as a public house. As a consequence of this, the former use of the site would have attracted a significant amount of traffic. It is not considered therefore that the development of the site for residential purposes would pose any unduly significant impact on the highway network.
- 7.6 The Highway Authority has referred to the 2016 Parking Standards stating that two parking spaces per dwelling should be provided for houses with 2/3 bedrooms. The application was submitted following pre-application advice given in 2015 when it was indicated that one space per dwelling would be acceptable in this location. The proposal provides 14 spaces plus 3 visitor spaces which therefore represents a shortfall of 14 spaces according to current standards.
- 7.7 In response to this, the site is within a sustainable location in close proximity to local services, public open space, employment sites and public transport routes. Due to the constraints in the size of the site the only mechanism to improve the ratio of dwellings to car parking spaces would be to reduce the number of dwellings within the development. The applicant has indicated that this approach would not be viable. Furthermore the applicant has submitted a highway report which has analysed census data and car ownership for houses in the Kings Heath Ward. The report has concluded that the proposed development would not have a significant adverse impact upon the highway network. Requiring additional parking spaces on site would reduce the likelihood of delivering an effective housing land supply and would leave a vacant site, which has been a longstanding site for anti-social behaviour, undeveloped.
- 7.8 The Highway Authority has also stated that rear parking courts are not accepted. The development at the former Morris Man site features a rear courtyard and the current scheme is based on that development. The indicative plan indicates that the rear parking area would benefit from a good degree of natural surveillance from the first floor windows of the entire development. Furthermore, the applicant has proposed that the area features a 2m high brick wall on the southern boundary and electronic entrance gates which would make this private space secure. For these reasons the proposal is considered to be satisfactory.

Other Matters

- 7.9 Amended drainage details have been received addressing the concerns raised by the Lead Local Flood Authority. Conditions requiring the submission and approval of a detailed surface water drainage scheme and mains foul water drainage are proposed to ensure appropriate drainage for the site and that the development does not lead to any increased risk of flooding arising from drainage to surrounding properties and sites.

8. CONCLUSION

8.1 In conclusion it is considered that, on balance, the proposed development represents the efficient and sustainable use of this previously developed site. It reflects the character of its surroundings and would contribute towards meeting the established need for housing within Northampton. The proposal is considered to be in accordance with the relevant planning policies and guidance and is therefore recommended for approval.

9. **CONDITIONS**

1. Approval of the details of the access, appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plan: 16-20-P-L Revision A (Site Location Plan).

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

5. The residential development of the site hereby permitted shall be for a maximum of 14 dwellings only.

Reason: To accord with the terms of the planning application and to ensure a satisfactory standard of development and in the interests of the amenity of the occupiers of adjacent residential properties in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

6. Details of all proposed external facing materials shall first be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Local Plan and Policy S10 of the West Northamptonshire Joint Core Strategy.

7. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall first be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

8. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: The details are required pre-commencement to ensure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. Details of existing ground and proposed levels in relation to the adjoining sites and proposed finished floor levels for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement. The development shall be carried out in accordance with the approved details.

Reason: The details are required pre-commencement to ensure a satisfactory standard of development and in the interests of adjacent residential amenity in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

10. Before construction commences, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the Local Planning Authority for approval in writing.

The details of the scheme shall include:

- i) Designs, diameters, invert and cover levels and gradients. In addition, the assessment shall include dimensions of all elements of the proposed drainage system: pipes, inspection chambers, outfalls/inlets and attenuation basins.
- ii) BRE 365 compliant infiltration testing to confirm that such a method of surface water disposal is / is not viable. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

11. No development shall take place until a scheme for the maintenance and upkeep of the proposed surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. The scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce risk of flooding due to failure of the drainage system in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy. This condition is required to agree such details in a timely manner.

12. No building works which comprise the erection of a building required to be served by water services shall be undertaken until full details of a scheme for the provision mains foul water drainage on and off the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

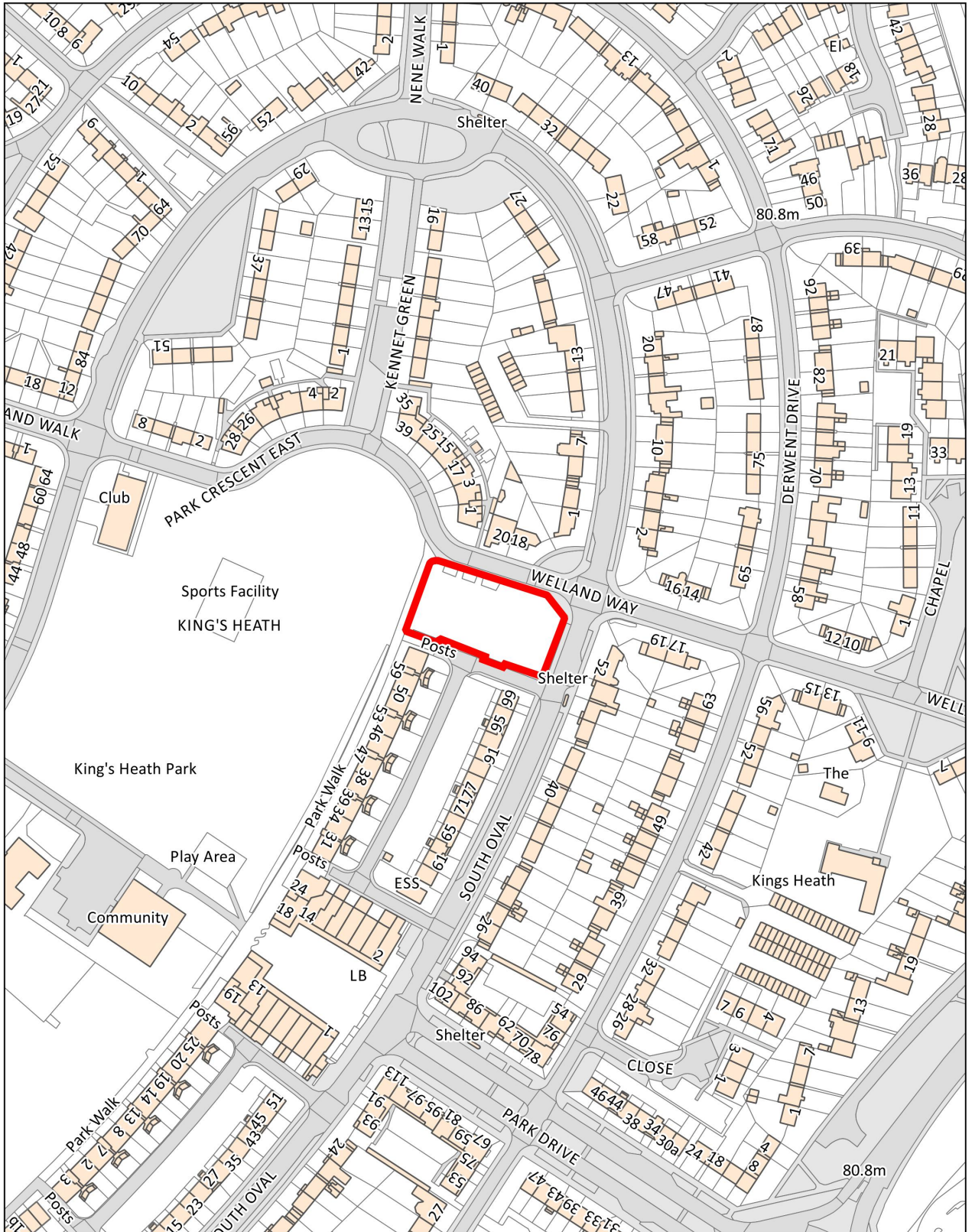
10.1 N/2016/1439, ENQ/2015/1359, N/2006/0272

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.



Title: **The Silver Cornet Public House, 21 Welland Way**

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Date: 11-07-2017

Scale: 1:2,000

Drawn by: -----



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0271

LOCATION: 11 Cowper Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) for 5 occupants - retrospective

WARD: Castle Ward

APPLICANT: Mr Alex Putjatins
AGENT: Mr Alex Putjatins

REFERRED BY: Councillor D Stone
REASON: Over concentration of HIMOs

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 in principle as it would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the area, street scene, nor would the development have significant adverse impacts on neighbouring amenity, parking provision or the character and appearance of the Boot and Shoe Quarter Conservation Area. The property is of sufficient size to accommodate the level of accommodation as proposed, in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 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.

2. THE PROPOSAL

- 2.1 The application relates to the retrospective conversion of the existing 3-bed dwelling to a house in multiple occupation for 5 people. No external alterations are proposed. Parking would be on-street.
- 2.2 The site lies within an Article 4 Direction Area which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site constitutes an end of terrace dwellinghouse constructed in the late 19th Century and is located within the Boot and Shoe Quarter Conservation Area. The property is of a traditional appearance, with a long rear garden.
- 3.2 To the north of the site is highway and is close to the junction of Cowper Street, with Kettering Road. To the south and east is Mount Pleasant Baptist Church with associated car parking and to the west is no. 13 Cowper Street.

4. PLANNING HISTORY

- 4.1 N/2015/0397 – change of use from dwelling (Use Class C3) to solicitors' office (Use Class A2). This application was refused on 2nd July 2015 due to the Council not being able to demonstrate a five year housing land supply and the proposal would result in the loss of a residential dwelling.
- 4.2 Following investigations by the Planning Enforcement team it was identified that the property had been converted into a house in multiple occupation.

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;

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 17 – Core Principles – seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraph 49 – Housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, Local Planning Authorities are advised to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 132 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5: seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10: requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5: requires consideration of heritage assets including conservation area.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30: requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

Policy E26: Development in Conservation Areas - requires developments to preserve or enhance the character and appearance of the area, and not to demolish buildings which make a contribution to the character and appearance of the conservation area, where they are capable of an alternative use.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Boot and Shoe Quarter Conservation Area Appraisal

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 50m 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 refuse and recycling storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – Objected to the proposed change of use. The area has been the subject of a number of parking beat survey which have identified that there is limited parking available in the area. The cumulative impact from the high concentration of HIMOs in the immediate vicinity is contributing to the excessive demand. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This demand will increase the demand further and any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe.
- 6.2 **NBC Private Sector Housing** – a licence for occupancy by 5 persons has been issued, subject to alterations to be made to the shower room and lounge window, to comply with the Council's requirement.
- 6.3 **NBC Conservation Section** - No objection on conservation grounds. No external alterations are proposed and the use will have a neutral impact on the historic character and appearance of the Boot & Shoe Quarter Conservation Area, which derives from the juxtaposition of factories, houses and commercial, social and religious buildings and illustrates the development of Northampton's footwear industry.
- 6.4 **Town Centre Conservation Area Advisory Committee** – object to the application on the grounds of overdevelopment and the impact on traffic in this area.
- 6.5 **Councillor D. Stone** – concerned about the concentration of HIMOs in this area. Called in the application.
- 6.6 **24 letters of objection** have been received. The points raised in the letters of objection (many are duplicates of the same letter) are:
- Query the number of occupants permitted at the property
 - The need to carry out sound proofing and install fire doors in accordance with relevant certificates
 - Loss of family housing in the area
 - Query the number of HIMOs in Cowper Street
 - Lack of maintenance to HIMOs
 - Lack of parking in Cowper Street
 - Anti-social behaviour
 - Concern about sink holes in the area

7. APPRAISAL

Principle of Use and Concentration

- 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 JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there are four other HIMOs within a 50m radius of the application site that either are existing or have consents (in addition to this application). The addition of a further HIMO as proposed would lead to a concentration of 6% which is below the 15% concentration as specified in the HIMO Interim Policy Statement. It is therefore not considered that the HIMO proposed would lead to any significant impact on the character and amenity of the surrounding area as a result and the principle is therefore considered acceptable.

Size of property and facilities for future occupiers

- 7.3 The submitted drawings do not indicate significant alterations to the property. The only significant works relate to the subdivision of the lounge/dining room bathroom to provide a shower room. This work has already been carried out, but does not meet the requirements of the licence that has been issued to the applicant by Public Sector Housing. A variation of the licence will be required, which involves the reduction in size of the ground floor shower room. These works are to be carried out within 6 months of the date of the licence. A planning condition can be imposed to require these works to be carried out.
- 7.4 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. All bedrooms would be served by adequate outlook and light.
- 7.5 There is sufficient room to the rear of the property for bin storage and cycle storage which can be conditioned to be required within two months.

Flood Risk

- 7.6 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Highways/Parking

- 7.7 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.
- 7.8 Parking within the vicinity of the site is on-street. The nearest bus stops on Kettering Road are approximately 100m from the property and the property is within approximately a 5 minute walk to the Local Centre and facilities. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.9 Within such areas the IPPS goes on to say that storage space should be provided which is accessible to cycle users. Such space is available in this case although not shown on the submitted drawings. Access is available to the rear garden, from the side of the property, which

would therefore make it possible to provide such storage. A condition is recommended requiring that the cycle storage is implemented.

- 7.10 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.
- 7.11 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom and where the proposal is less than this requirement, the Local Highway Authority (LHA) will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.
- 7.12 The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the previous dwelling, as the parking requirement for a 3-bed dwelling is 2 spaces. In this case, no on-site parking is proposed. The LHA did not requested a parking beat survey be carried out as a number had been carried out recently in the area, which indicated that parking was at 85-90% capacity. Inspections were also carried out by the LHA during the early morning period (1am – 4am) where it was identified that there were no parking spaces in the area.
- 7.13 The LHA has provided a very detailed analysis of the parking situation in this area including the number of parking contravention notices that have been issued in the last year. There are areas in the vicinity that are covered by residents parking permits. The LHA would be responsible for the issuing of these permits and it is therefore noted that future residents are not guaranteed a parking permit.
- 7.14 The information above demonstrates that there is no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HIMO in the immediate vicinity is contributing to the excessive demand. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand further and any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe.
- 7.15 However, regard must be given to the existing situation and use of the premises as a three bedroomed terraced property and the proposed use of the property to four separate bedrooms, with a limit on the occupation to five people. In this respect, it is not considered that the proposed use would lead to any significant increase in the number of occupants as compared with the previous use.
- 7.16 Furthermore, regard must be paid to previous appeal decisions over the past year where Planning Inspectors have consistently taken the view that where a site is close to local amenities, 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.
- 7.17 The issues in this regard are finely balanced, however it is considered that in view of the existing use, recent appeal decisions and that the proposal complies with the Council's adopted Interim Planning Policy Statement for HIMO's, it would be difficult to uphold a refusal at appeal on the basis of highway concerns.

Residential Amenity and objections from Local Residents

- 7.18 All the bedrooms are of reasonable sizes and would meet the requirements for a HIMO. The bedrooms measure between approximately 8.4m² and 14m² in floor area. Where there is a

separate lounge and kitchen the standards require at least 6.5m² floor area. In this instance the kitchen is 12.5m². On this basis, the space standards would be acceptable.

- 7.18 The application refers to five occupants, with bedroom 4 being a double room. As this is already a three bedroomed property, the potential for a family of four already exists. The additional person is therefore not considered to result in overcrowding of the property. As mentioned above, the standards set out in the IPPS have been met.
- 7.19 The risk of fire and provision of fire doors would be addressed through the Premises Licensing aspects of the proposed use.
- 7.20 The plans do not identify bin storage, but there would be space for provision to the rear of the premises, which is to an acceptable standard in line with the IPPS. This can be covered by condition.
- 7.21 The HIMO is intended to provide accommodation for five persons. Anti-social behaviour and impact on quality of life of surrounding residents are often concerns raised by local residents. This is not an area that has a high number of HIMOs and it is not considered that there is a significant adverse impact on the surrounding area.
- 7.22 The comment relating to the sink holes in the vicinity of the property has not been raised as an issue through the consultation process. The works proposed are principally conversion works and are not considered to increase the risk of sink holes forming. The property has a permitted residential use and could still be occupied irrespective of this proposal. It is considered that there is no significant risk to the intended occupiers as a result of this proposal.
- 7.23 The Local Planning Authority has an obligation to determine planning applications submitted for consideration. Unless it can be demonstrated that there would be significant harm on the character of an area or its residents. In this instance that cannot be demonstrated.

Impact on the Conservation Area

- 7.23 The proposal does not involve any external alterations to the building and the use is not considered to have an adverse impact on the character of the area. It is therefore concluded that there is no demonstrable adverse impact on the setting and appearance of the Boot and Shoe Quarter Conservation Area.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed.
- 8.2 The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal.
- 8.3 There are no external alterations proposed to the building and it is therefore considered there are no adverse impacts on the Boot and Shoe Quarter Conservation Area.
- 8.4 The proposal is therefore recommended for approval.

9. CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Block Plans and Floor Plans - M44-2.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

2. The development hereby permitted shall be occupied by a maximum of 5 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.

3. 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 within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted 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.

4. Full details of facilities for the refuse storage shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted 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. Within three months of the date of this consent, the alterations to the ground floor shower room shall be completed in accordance with the approved layout plan and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

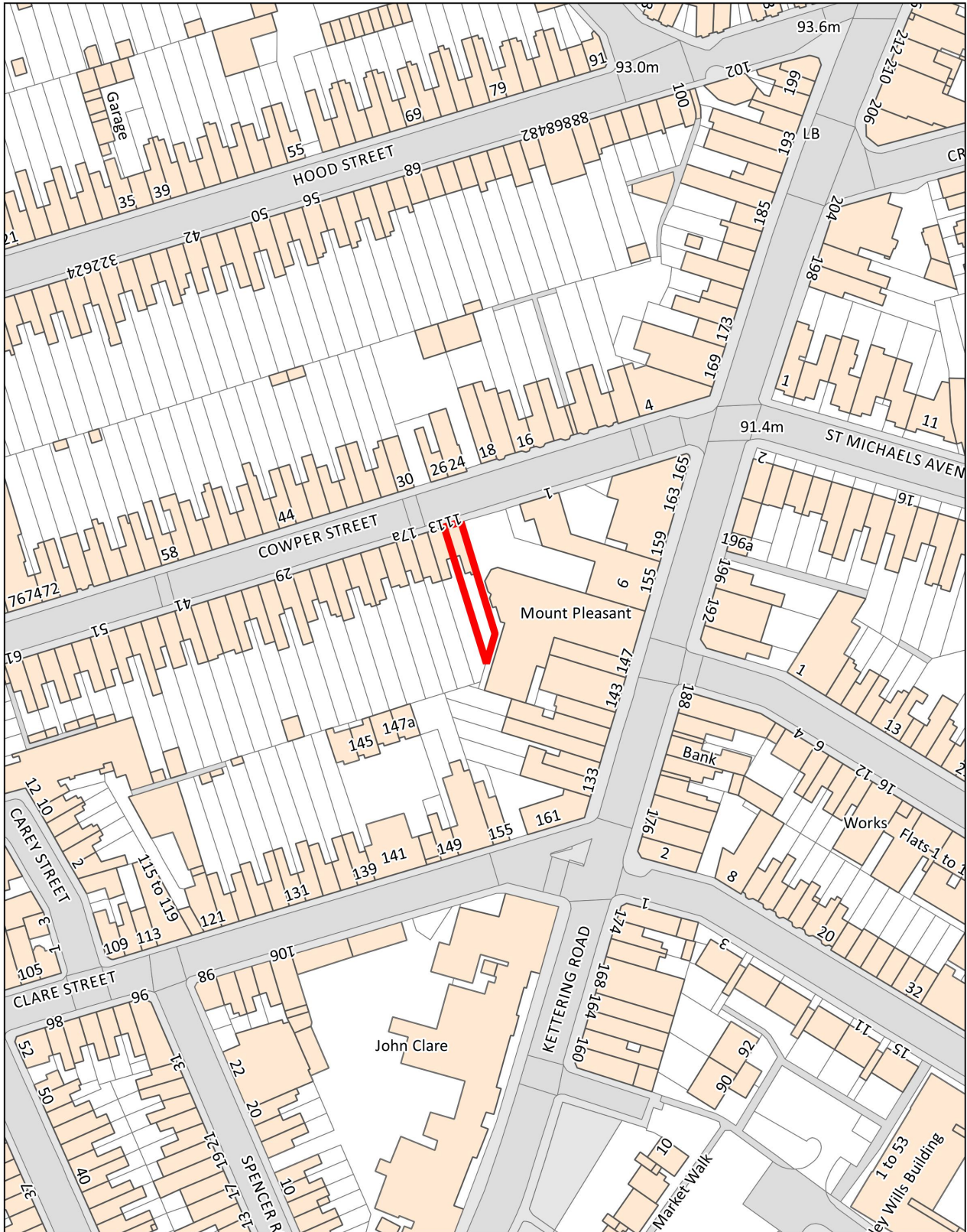
- 10.1 N/2017/0271

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable as the proposal does not result in an increase in floor area of the property.

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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PLANNING COMMITTEE:	25 July 2017
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2017/0386
LOCATION:	48 Southampton Road
DESCRIPTION:	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants
WARD:	Delapre & Briar Ward
APPLICANT:	Mrs Jacqueline Abbott
AGENT:	Mrs Jacqueline Abbott
REFERRED BY:	Councillor V Culbard
REASON:	Parking and refuse concerns
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 in principle 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 not have an adverse impact on flood risk. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops 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, Policies E20 and 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 The proposal is for a change of use of a dwellinghouse (Class C3) to a house in multiple occupation for four occupants (Class C4). There are no external works proposed with the conversion. The proposal includes two ground floor bedrooms, kitchen, bathroom and utility and two bedrooms above with bathroom.

3. SITE DESCRIPTION

3.1 The site consists of a terraced dwelling along a residential street of similar properties. The property has a private rear garden and is located in a high risk Flood Zone (Flood Zone 3). It is

not in a conservation area. The site is also within easy walking distance to St Leonards Road where shops and services are located.

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.

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraph 100 to 104 relate to Flood Risk in determination of planning applications.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMO's where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

BN7 Flood Risk – relates to flood risk as a consideration in the determination of this planning application.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

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 50m 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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environment Agency** - No objection, the revised Flood Risk Assessment complies with requirement of the NPPF. The applicant has proposed flood proof measures as part of their proposal also.
- 6.2 **NCC Highways** - Raise objections. The information submitted demonstrates that no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HIMOs is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any development impact that compromises the safety of motorists and pedestrians on the highway

network is considered severe. In conclusion, in the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the exiting parking problems in the area.

6.3 **NBC Private Sector Housing** - No objection, general comments provided in terms of fire safety and gas and electric meters.

6.4 **Cllr V. Culbard** - parking, refuse, fly tipping issues. Called in the application.

6.5 2 letters of objections received:

- Parking concerns/ on road parking issues
- Illegal parking of cars at junctions
- Concern on fly tipping and waste disposal
- Over- concentration of uses
- Impact on community cohesion and fragmentation of area
- Concern over transient nature of residents living in HIMO properties

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 JCS 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 no licensed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 1.23% of concentration in the area. However, there are currently 4 other planning applications that have been received by the Council for a change of use to HIMOs. If all 5 applications were to be approved, 5 HIMOs out of the existing properties (81 total) would result in 6.17% concentration. This would clearly still fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered 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 in accordance with the Council's HIMO Facilities and Amenities Guidance. 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 confirm that the accommodation proposed would be acceptable for 4 residents provided that the kitchen layout is changed which is acceptable to the applicant.

Highways / Parking

- 7.4 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.
- 7.5 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 180 metres of the nearest bus stop on St. Leonards Road and within walking distance of local facilities on St. Leonards Road and Towcester Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.6 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 details to be submitted for approval for secure cycle storage.
- 7.7 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.
- 7.8 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 4 parking spaces, which is an increase of 2 compared to the existing use. As parking requirement for a 2-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.10 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.
- 7.12 Notwithstanding the fact that there are outstanding applications for HIMOs within the vicinity of the site which may have the potential for cumulative impacts on parking within the locality, 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.

Refuse storage

- 7.13 An appropriate condition for bin storage is to be secured to ensure an acceptable level of residential amenity.

Amenity

7.9 As the proposed HIMO is no more intensive than say a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Flood risk

7.10 In respect of flood risk the application site is in a high risk flood zone however the applicant has submitted a Flood Risk Assessment which the Environment Agency raise no objections.

Other issues

7.11 There is no evidence to suggest that a further HIMO would lead to increased fly tipping. If managed effectively then this can be avoided. Illegal parking is dealt with by Traffic Enforcement Officers rather than Planning.

8. CONCLUSION

The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. There would also not be an adverse impact on flood risk or highway safety.

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 plans: 01 and 02.

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) 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) Prior to the occupation of 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.

10. BACKGROUND PAPERS

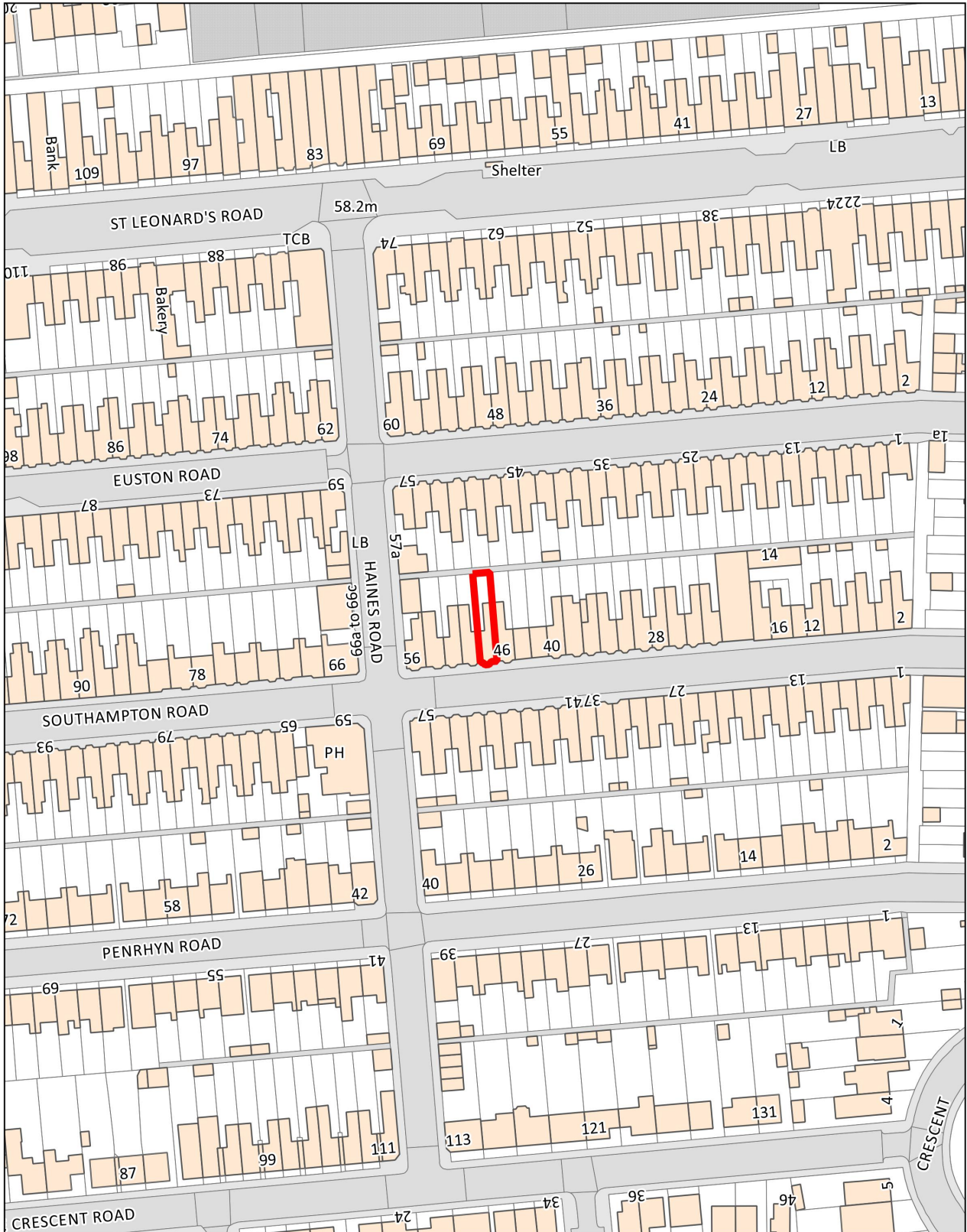
10.1 N/2017/0386


11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable as no additional floor space would be created.

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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PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0448

LOCATION: 39 Queens Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House of Multiple Occupation (Use Class C4) for 5 occupants

WARD: Castle Ward

APPLICANT: Mr Alan Byrne
AGENT: Mr Alan Byrne

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

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 in principle 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 bus stops and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal would not have significant adverse impact on the character and appearance of the Boot and Shoe Quarter Conservation Area. The proposal thereby complies with Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and 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 The proposal is for the change of use of an existing dwelling to a house in multiple occupation for five residents. Parking would be on-street.
- 2.2 The site lies within an Article 4 Direction Area, which removes permitted development rights for change of use from a dwelling to a House in Multiple Occupation (HIMO).

3. SITE DESCRIPTION

3.1 The application premises consists of an existing three bedroom mid-terraced house. The property has a cellar, two ground floor reception rooms (knocked through into one), a kitchen and a bathroom. At first floor there are three bedrooms.

3.2 The application site is located within the Boot and Shoe Quarter Conservation Area.

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5 - requires consideration of heritage assets including conservation area.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

Policy E26 - Development in Conservation Areas - requires developments to preserve or enhance the character and appearance of the area, and not to demolish buildings which make a contribution to the character and appearance of the conservation area, where they are capable of an alternative use.

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Boot and Shoe Quarter Conservation Area Appraisal

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 50m 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 refuse and recycling storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Local Highway Authority** – Object to the application. A number of parking beat surveys have been carried out in the area and show parking to be at 85 to 90% capacity. Any increase in demand will exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents. Records also show a high number of parking tickets in the area. This demonstrates there is no residual parking capacity on street.
- 6.2 **Private Sector Housing (NBC)** – Confirm that revised plans would meet the required standard. In respect of basement rooms reference should be made to the guidance for natural light and ventilation.
- 6.3 **Conservation (NBC)** – No objection on conservation grounds. No external alterations are proposed and the use will have a neutral impact on the special character and appearance of the Boot & Shoe Quarter Conservation Area.
- 6.4 Objection received from a nearby occupier, making the following points in summary:
- Not appropriate for yet another HIMO to be approved in Queens Road. There are already a number of such properties.
 - The increase in such properties threatens to change the character of the street in what is supposed to be a conservation area.
 - There are also existing fly-tipping, noise, and car parking problems which an additional HIMO will only exacerbate.
 - An additional concern is the inadequate living space in the plans for the property.
- 6.5 **Councillor D. Stone** – concerns regarding overdevelopment and parking in the area. Called in the application.

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 JCS 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 two recorded HIMOs within a 50m radius of the application site. The use of this property as a HIMO also would equate to a 4.3% concentration in the area. This 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 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 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. All bedrooms would

be served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable for 5 residents.

Flood risk

- 7.4 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

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 of the nearest bus stop on Kettering Road which is within 190m of the premises. The property is also within easy walking distance of the Kettering Road Local Centre which provides a wide range of facilities. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 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 details should be submitted for the secured cycle storage.
- 7.8 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.
- 7.9 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 5 parking spaces, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.10 In this case, the LHA object to the proposal on the grounds of highway safety, stating that the area is at capacity for parking any further HIMOs would exacerbate the already severe impact.
- 7.11 Notwithstanding the LHA objection, regard must be had to the current use of the property as a three bedroom dwelling. This could potentially result in four car owning residents, if the property was occupied by a family of two parents and two children of driving age. Even if all five residents of the HIMO had cars this would result in only one additional car and there is no evidence to demonstrate that all 5 residents would own cars.
- 7.12 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities, 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.
- 7.13 In view of the recent appeal decisions, the Inspectors have given considerable weight to the sustainability of locations, while considering the impact on parking. As such, in view of the sustainable location of the application site, and number of occupants proposed, that there is sufficient room within the site to provide secure bicycle storage, and bearing in mind the

requirements of the IPPS, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.

Refuse storage

- 7.14 As with cycle storage, it would be possible to provide refuse storage within the rear garden / yard area and a condition requiring details of such provision is recommended.

Amenity

- 7.15 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. It is not considered 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. Indeed, without the Article 4 Direction, planning permission would not be required for the change of use. Consequently, it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.

Impact on the Conservation Area

- 7.16 The proposal does not involve any external alterations to the building and the use is not considered to have an adverse impact on the character of the area. It is therefore concluded that there is no demonstrable adverse impact on the setting and appearance of the Boot and Shoe Quarter Conservation Area.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. There are no external alterations proposed to the building and it is therefore considered there are no adverse impacts on the Boot and Shoe Quarter Conservation Area. The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

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 plans: Proposed Cellar, Proposed Ground Floor, Proposed First Floor (revised plan received 03/07/17).

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The basement room shall be used as communal living room for all residents of the property and shall be maintained as such for the duration of the use hereby permitted 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.

4. Prior to the bringing into use of the building for the approved use, 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: 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. Prior to the bringing into use of the building for the approved use, 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 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.

10. BACKGROUND PAPERS

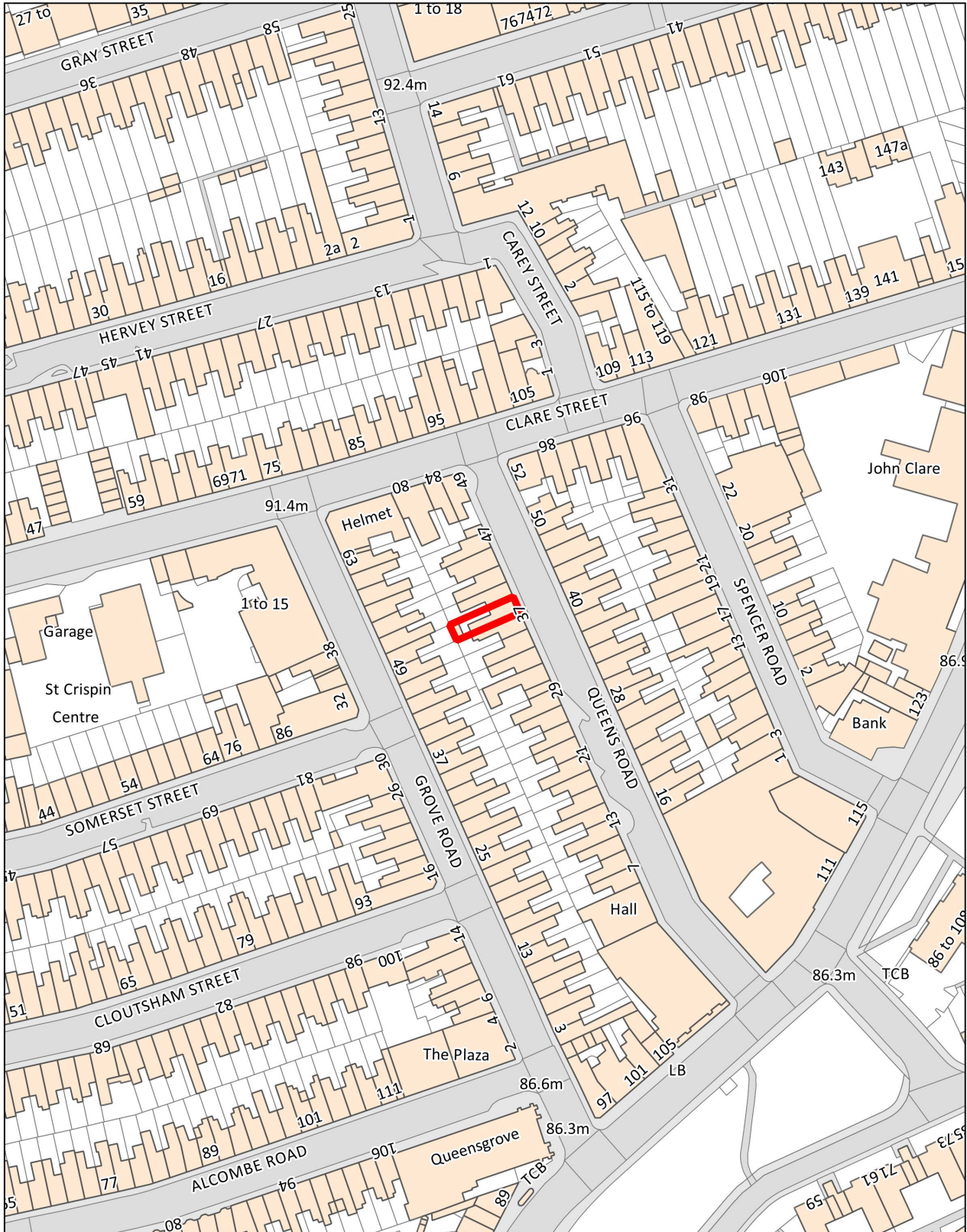
- 10.1 Application file N/2017/0448.

11. LEGAL IMPLICATIONS

- 11.1 The development is not 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.



Title: **39 Queens Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0465

LOCATION: 55 Delapre Crescent Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

WARD: Delapre & Briar Ward

APPLICANT: SFR Properties Ltd
AGENT: SFR Properties Ltd

REFERRED BY: Councillor V. Culbard
REASON: Parking and refuse concerns

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 in principle 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. In addition, the Local Highway Authority has raised no parking objections to the proposal and the site is in a sustainable location close to local facilities, 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 Policies E20 and 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 The application seeks full planning permission for the change of use of the property from a dwellinghouse (Use Class C3) to a House in Multiple Occupation (HIMO) for five occupants.

2.2 The application includes an external alteration to the property comprising the change of a back door to a window. The internal layout would also be altered to form three first floor and two ground floor bedrooms, each served by an en-suite, and a ground floor reception/kitchen area to the rear with a floor area of 20sqm.

- 2.3 The works the subject of the application would normally benefit from permitted development rights. However, the site is located within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application property comprises a two storey, mid-terraced, three-bedroom property with a small front garden and a rear garden measuring some 15 metres in depth. It is located in a residential area to the northern side of Delapre Crescent, which is lined by a mix of terraced, semi-detached and detached properties. The southern side of Delapre Crescent Road is bound by Far Cotton Recreation Ground.
- 3.2 The existing property contains three first floor bedrooms with a first floor bathroom and has a living room, lounge and kitchen at ground floor level together with a WC. There is an outbuilding in a poor state of repair to the rear boundary of the site. The application property was being refurbished at the time of the officer site visit.
- 3.3 The site is in close proximity to the Towcester Road and London Road and therefore has ready access to bus routes with the nearest bus stop located some 230 metres from the site on Towcester Road. The site is also located some 400m from the nearest retail unit on St Leonard's Road.
- 3.4 The site does not fall within Flood Zones 2 or 3 as designated by the Environment Agency and therefore has a low probability of flooding.

4. PLANNING HISTORY

- 4.1 None relevant.

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:

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.
- 5.5 Paragraph 50 - States that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities;

should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

5.6 Paragraph 32 - Details that development should only be refused on transport grounds where the impacts of development are severe.

5.7 **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:

5.8 Policy H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, and the impact on the amenities of occupiers of neighbouring properties.

5.9 Policy H5 – Managing the existing housing stock - Seeks to manage and safeguard existing housing stock, including through HIMOs, where they would not adversely impact upon the character and amenity of residential areas.

5.10 Policy S10 – Sustainable Development Principles - Requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings

5.11 **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:

5.12 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

5.13 Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.14 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.14 **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 V. Culbard** – any further development would be detrimental to the residents of the road. Delapre Crescent Road is a fairly narrow road that already experiences problems with residents parking their cars, particularly in the evening when they return from work. Any increase in the amount of residents would only exasperate the situation. There would be further pressure on rubbish disposal and fly tipping. Called in the application.
- 6.2 **Councillor G Walker** – object to the application on the grounds of parking and the loss of a family home.
- 6.3 **Highway Authority (NCC)** - The proposed development does not meet the Northamptonshire Highways Parking Standards 2016. As per the standards it must provide a minimum of 2 on plot parking spaces. However the LHA does not believe the potential increase in demand will compromise highway safety in this location.
- 6.4 **Private Sector Housing (NBC)** - The room spaces indicated on the submitted plans meet the requirements for a five person HIMO. Guidance should be provided to the applicant regarding the property potentially becoming licensable in the future.
- 6.5 **One neighbour objection** - There is already a major parking issue in the area and increasing the number of HIMOs is only going to make the situation worse.
- 6.6 **One letter of comment** has also been received which includes the following points:
- There has not been a huge influx of HIMOs in the locality, with only two HIMOs on the road, and these are at the opposite end.
 - Delapre Crescent Road is a wide road that does not have parking problems; this is partly because the road is neighboured by Far Cotton Recreation Ground.
 - There is no reason to suggest tenants will fly-tip, there is more than adequate room for bin storage with the property benefiting from side access to the rear garden.
 - Blanket objections should not be made to all HIMOs.

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 JCS 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 indicate that there are no confirmed HIMOs on Delapre Crescent Road or Penrhyn Road within a 50 metre radius of the site, although one HIMO has recently been granted planning permission on Pleydell Road (under reference N/2017/0451) within the 50 metre radius. The use of this application property as a HIMO, together with the permitted HIMO on Pleydell Road, would equate to less than a 4% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. As such, and given the range of dwelling types in the locality, it is considered 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, is in line with the aims of NPPF in respect of the requirement to secure 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 with appropriate kitchen/dining/living and bathroom facilities. Furthermore, Private Sector Housing are satisfied with the proposed accommodation. In addition, all bedrooms would be served by windows to ensure adequate outlook and light. A condition restricting the use of the property to a maximum of 5 people would ensure adequate amenities are secured in perpetuity.
- 7.4 No details have been submitted for cycle and bin storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

Flood Risk

- 7.5 In respect of flood risk, whilst parts of Far Cotton fall within Flood Zones 2 and 3, the application site falls outside of these zones. As such the proposal has no implications with regards to flooding.

Highways/Parking

- 7.6 The application site does not benefit from any onsite parking. The Interim Planning Policy Statement for HIMOs (IPPS) sets out that where limited, or no parking provision is proposed, the site must be either within 400 metres 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 local facilities along St. Leonards Road, as well as other shops and facilities on Towcester Road and London Road. In addition, the site is close to bus stops along Towcester Road and London Road, with the nearest bus stop located some 230 metres from the site. As such, the proposed development is considered to be in a sustainable location and to accord with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such sustainable 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 details to be submitted for prior approval for secure cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS.
- 7.10 The Northamptonshire Parking Standards are, however, also a material consideration in the assessment of the current application and this document was adopted in September 2016, after the IPPS.

- 7.11 The Northamptonshire Parking Standards state that three bed houses should provide two parking spaces and HIMO's should provide on plot parking at the ratio of one parking space per bedroom, which would equate to five spaces for the proposal, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.12 However, in this case, the Highway Authority has assessed the proposal, including the availability of parking in the immediate locality of the site, and has advised that the potential increase in parking demand would not, in this instance, compromise highway safety.
- 7.13 Given that the Highway Authority have not objected to the application, and having regard to previous appeal decisions over the past few months where Planning Inspectors have consistently allowed HIMO appeals with no parking in sustainable locations, it has considered that an objection cannot be sustained on the grounds of the Parking Standards.
- 7.14 Overall, and having regard to the above, it is considered that objections cannot be sustained to the application on the grounds of parking or highway safety.

Refuse storage

- 7.15 The application form details that refuse bins can be located in the front garden of the property and it is also noted that there is sufficient space in the rear garden for bin storage. Notwithstanding the details submitted thus far, a condition is recommended to agree the exact details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

- 7.16 The application site is in a residential area and proposed use would fall within Use Class C4, which is 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 would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is also 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.

9. CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, DA18.01.02, and DA18.01.03

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

2. 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.

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. 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.

5. Notwithstanding the submitted details, prior to the first use of the property hereby permitted, details of storage facilities for refuse and materials for recycling shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation as permitted and maintained 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

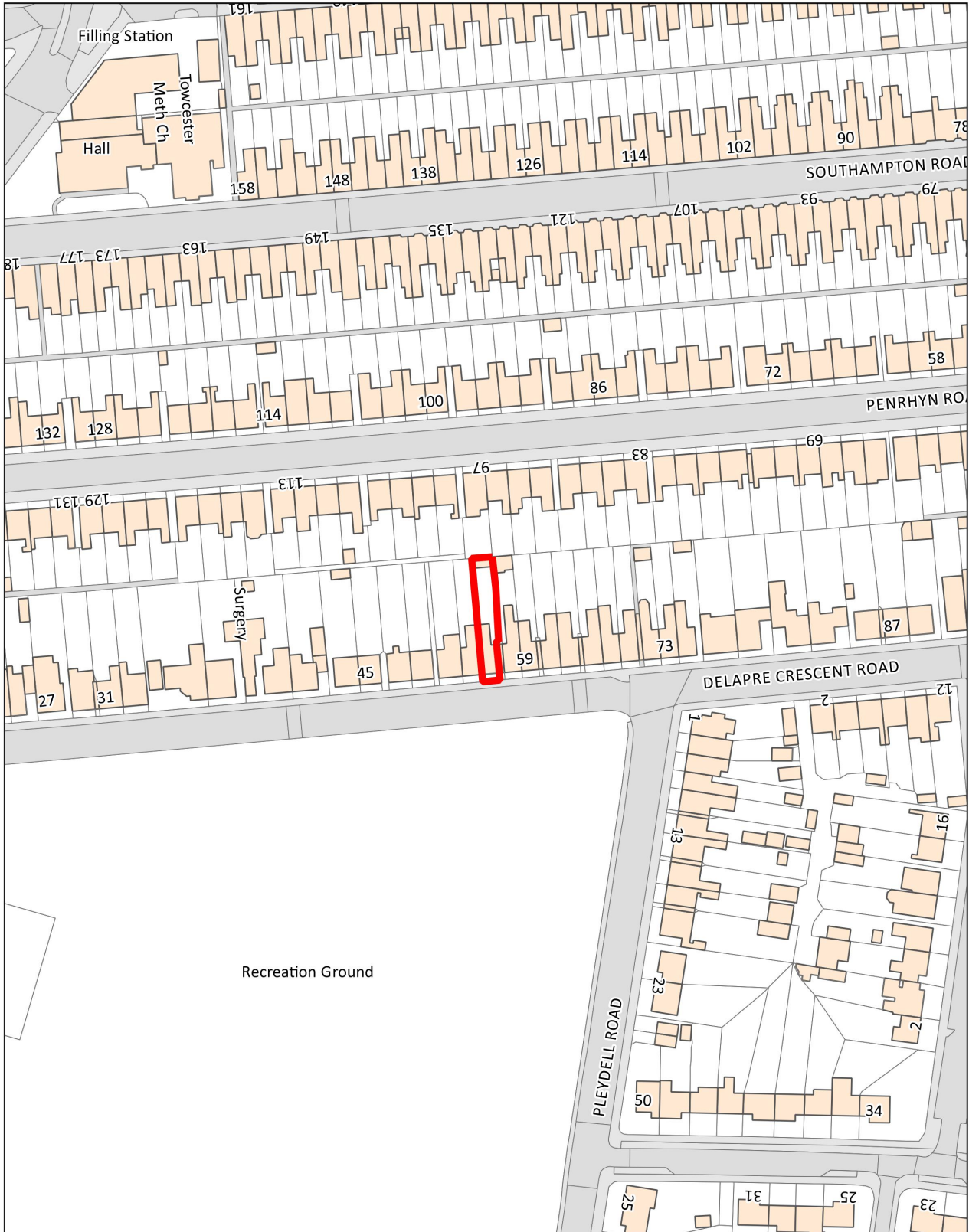
- 10.1 N/2017/0451.

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: **55 Delapre Crescent Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 25th July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0513

LOCATION: 131 Southampton Road

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Michael Mitchell
AGENT: Mr Michael Mitchell

REFERRED BY: Councillor V Culbard
REASON: Parking and refuse concerns

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 in principle 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 a Local 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 E20 and 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 dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people. No external alterations are proposed to the property. Parking would be on-street.
- 2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced, three-bedroom property on Southampton Road, located in a residential area with similar terraced properties on both sides of the street.
- 3.2 The property has a kitchen, lounge, conservatory and a bathroom on the ground floor, three bedrooms on the first floor.
- 3.3 The site is in close proximity to St. Leonard's Road, which contains some retail units and access to bus routes.
- 3.4 The front part of the application site lies on the edge of Flood Zone 2.

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), 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:

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.
- 5.5 Paragraph 50 - states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

5.6 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:

- 5.7 Policy H1 - Housing Density & Mix & Type of Dwellings - states that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing

developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, and the impact on the amenities of occupiers of neighbouring properties.

- 5.8 Policy H5 – Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs, where they would not adversely impact upon the character and amenity of residential areas.
- 5.9 Policy S10 – Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.
- 5.10 Policy BN7 - Flood Risk – relates to flood risk as a consideration in the determination of this planning application.

5.11 **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:

- 5.12 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.
- 5.13 Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.14 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.15 **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 **Councillor V. Culbard** - raises objection on the basis that application property is on a very busy street where parking and rubbish disposal are already an issue. The proposed development would only make a difficult situation worse. Called in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** - has objected to the proposed change of use. Highway Engineer has advised that on the basis of information submitted the application and that there is no residual parking capacity on-street, the cumulative impact from the high concentration of HIMO's properties is contributing towards inappropriate parking in other areas. In the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the existing parking problems in the area.
- 6.3 **Private Sector Housing (NBC)** - has advised that if all the letting rooms exceed 6.5 sq.m., the accommodation and facilities would meet the requirements for four occupants. The property is not currently licensable as a HIMO, the Council is currently undertaking a review which may result in the introduction of an additional licensing scheme affecting the area and would be likely to affect the subject property.
- 6.4 **Environment Agency** - no objection.
- 6.5 **Two neighbour objections** have been received. These objections are summarised as follows:
- Parking issues in the street and wider area.
 - Inadequate refuse storage and fly tipping, exacerbation of existing issues.
 - Noise related issues.
 - Not appropriate for the area, as the development would affect the mix of the houses and would result in high density of HIMOs in the area.
 - The proposal would result in anti-social behaviour.
 - Impact on community cohesion.

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 JCS 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 no confirmed HIMOs on Southampton Road, Penrhyn Road and Euston Road within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 1.06% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. Although there are other outstanding planning applications for a change to HIMOs in Southampton Road, they are not within the 50m radius of this application. 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 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. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they will be satisfied with the accommodation proposed meets the requirements.

- 7.4 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

Flood Risk

- 7.5 In respect of flood risk, the application site lies on the edge of Flood Zone 2.
- 7.6 It is acknowledged that there would be one bedroom on the ground floor. A Flood Risk Assessment has been submitted with this planning application, which outlines the mitigation measures to reduce the impact on the future occupants of this HIMO. The Environment Agency has raised no objection.

Highways/Parking

- 7.7 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.
- 7.8 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 160 metres of bus stops on St. Leonards Road and Towcester Road and within walking distance of local facilities on St. Leonards Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.9 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 details to be submitted for approval for secure cycle storage.
- 7.10 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.
- 7.11 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 4 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.12 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.13 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.

- 7.14 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.
- 7.15 Notwithstanding the fact that there are outstanding applications for HIMOs within the vicinity of the site which may have the potential for cumulative impacts on parking within the locality, 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.

Refuse storage

- 7.16 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

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.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon 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.
- 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.

9. CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 17-041-01, Block Plan, Site Location Plan.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

2. 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

3. Full details of facilities for the refuse storage shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted 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.

4. 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 within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted 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

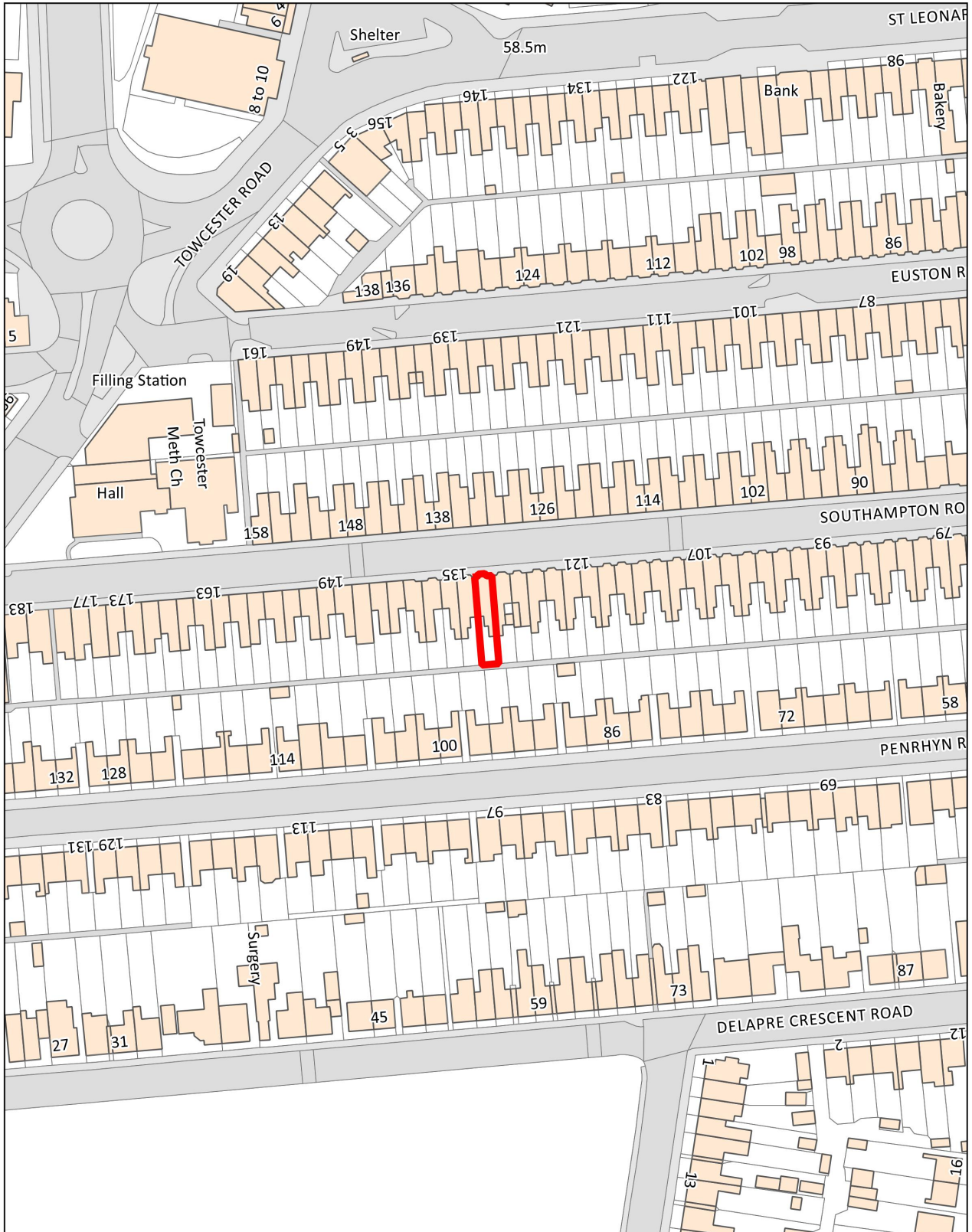
- 10.1 N/2017/0513.

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: **131 Southampton Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0577

LOCATION: 72 Southampton Road

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Dan Smith
AGENT: Mr Dan Smith

REFERRED BY: Councillor V Culbard
REASON: Parking and refuse concerns

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 in principle 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 not have an adverse impact on flood risk. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops 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, Policies E20 and 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 The proposal is for a change of use of a dwellinghouse (Class C3) to a house in multiple occupation for four occupants (Class C4). There are no external works proposed with the conversion. The proposal would include 2 ground floor bedrooms, kitchen and 2 bedrooms, bathroom and common room at first floor.

3. SITE DESCRIPTION

- 3.1 The application site consists of a terraced dwelling along a street of similar properties. The property has a private garden to the rear and parking is provided on-street. The existing house consists of a dining room, lounge and kitchen at ground floor and 3 bedrooms and bathroom above. The site is not in a conservation area. The site is in Flood Zone 2 (Medium risk) and only partly in Flood Zone 3 (high risk).

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,

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraphs 100 to 104 relate to flood risk and the determination of planning applications.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

BN7 Flood Risk - requires that consideration be given to flood risk in determination of planning applications.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

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 50m 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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** Raise objections. The information above demonstrates that is no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HIMO is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any

development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe. In conclusion, in the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the exiting parking problems in the area.

- 6.2 **NBC Private Sector Housing** - the room sizes meet the requirements for a 4 person HIMO.
- 6.3 **Environment Agency** - have reviewed the additional information and confirm that the Flood Risk Assessment complies with the requirements of the National Planning Policy Framework (NPPF) as set out in paragraph 30 of the flood risk and coastal change chapter of the Planning Practice Guidance (PPG). No objection.
- 6.4 5 letters of objections received:
- Parking
 - Concerns on late night partying
 - Refuse concerns
 - Noise
 - Are already too many in the area
 - Over-concentration
- 6.5 **Councillor V Culbard** - Lack of parking and fly tipping concern; called in the application.

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 JCS 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 no licensed HIMOs within a 50m radius of the application site. However there is 1 property with permission for HIMO use (55 Euston Road) and 2 current planning applications other than this site. The use of this property as a HIMO would therefore equate to only 4 out of 81 sites concentration in the area (4.93%). If the other 2 current applications are not approved and this one is then the density would be reduced to 2.5% only. This 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 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 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. All bedrooms would be served by adequate outlook and light. Private Sector Housing confirm that the

accommodation proposed would be acceptable for 4 residents provided that the kitchen layout is changed which is acceptable to the applicant.

Highways / Parking

- 7.4 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.
- 7.5 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 180 metres of the nearest bus stop on St. Leonards Road and within walking distance of local facilities on St. Leonards Road and Towcester Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.6 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 details to be submitted for approval for secure cycle storage.
- 7.7 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.
- 7.8 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 4 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.10 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.
- 7.12 Notwithstanding the fact that there are outstanding applications for HIMOs within the vicinity of the site which may have the potential for cumulative impacts on parking within the locality, 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.

Refuse storage

- 7.9 A planning condition for bin storage is to be secured to ensure an acceptable level of residential amenity.

Amenity

- 7.10 As the proposed HIMO is no more intensive than a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Flood risk

- 7.11 In respect of flood risk the application site is within a high risk flood areas of the town identified as being at risk from flooding. The applicant has submitted a Flood Risk Assessment and the Environment Agency raises no objection.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed.

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 plans: 217005.02.

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) 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: 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) Prior to the occupation of 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: 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

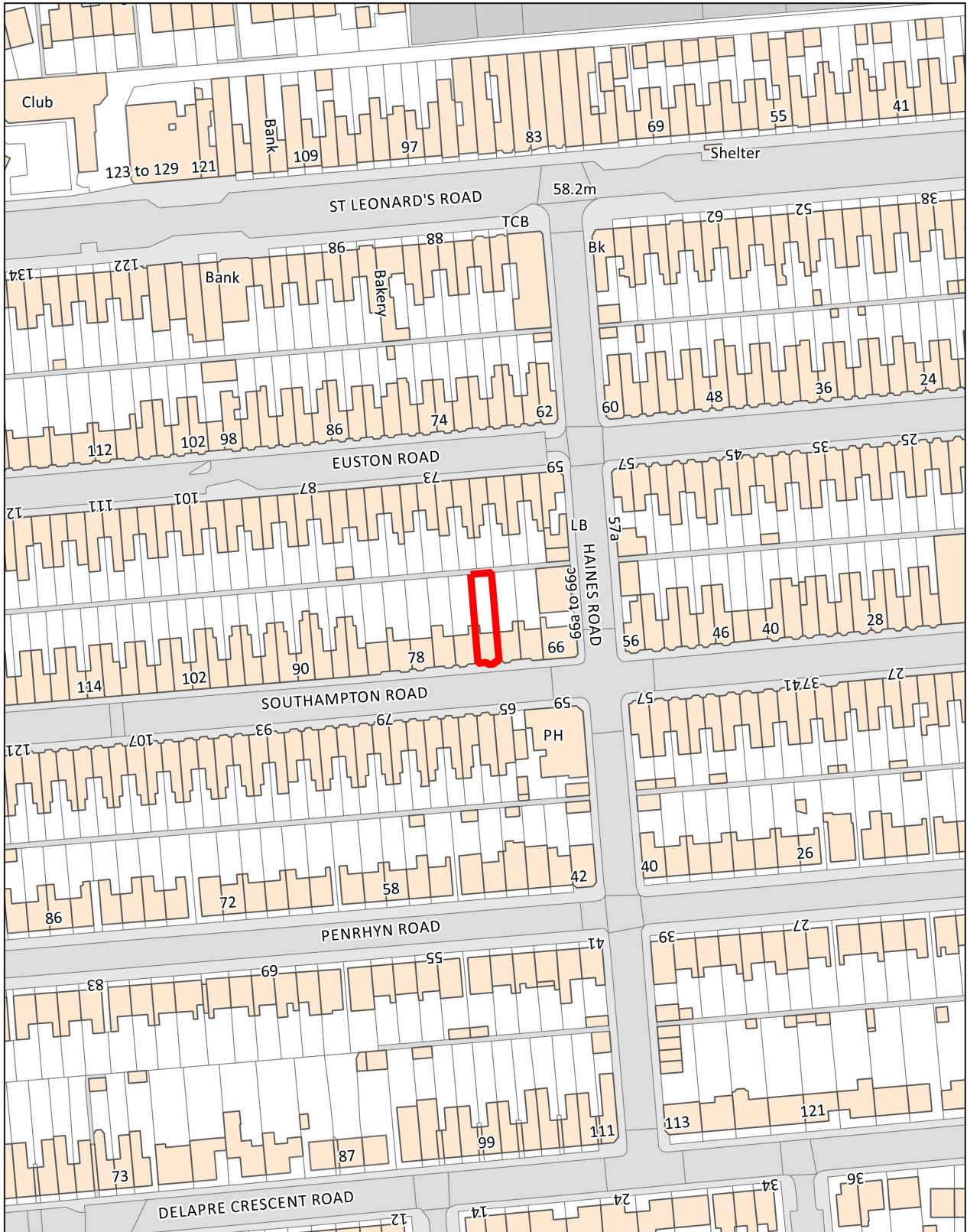
10.1 N/2017/0577

11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable given that there would be no additional floor space created.

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: **72 Southampton Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0590

LOCATION: 20 Thirlestane Road

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Maheshwari
AGENT: Plan My Property

REFERRED BY: Councillor V. Culbard
REASON: Parking and refuse concerns

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 in principle as it would not result in an over concentration of similar uses within the vicinity of the site and would provide adequate facilities for future occupants. The site is also in a sustainable location close to local amenities and would provide adequate facilities for cycle storage and refuse storage. There would be no impact on flood risk as the site is not in a high risk flood zone. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and 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 The proposal is for the change of use of a three bedroom dwelling (Class C3) into a small house in multiple occupation for four occupants (Class C4). The proposed use would include a living room, kitchen, bathroom and single bedroom at ground floor level and three single bedrooms above at first floor level. There would be one new roof window to the front roof slope.

3. SITE DESCRIPTION

3.1 The application site consists of an end of terrace residential dwelling at corner of Thirlestane Road and Delapre Street. The site has no off-road parking but relies on on-street facility. The property has a long rear garden and is not in a conservation area. The site is not in a flood zone.

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,

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraph 100 to 104 relate to flood risk in determination of planning applications.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

BN7 Flood Risk – relates to flood risk as a consideration in the determination of this planning application.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

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 50m 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 refuse and recycling storage

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows;

- 6.1 **NCC Highways** No objection. Have considered the applicant's Parking Beat Survey and do not consider that the potential increase in demand resulting from this development would compromise highway safety.
- 6.2 **NBC Private Sector Housing** no objection given that the property can accommodate 4 occupants.

6.3 **Two letters of support received and 1 letter of objection** received;-

- Concern over sewage disposal
- Query is house suitable for 4 occupants
- Parking concerns
- Use is considered out of keeping with character of the surrounding area
- Wish for assurances that loft space is not used for bedroom accommodation

6.4 **Councillor V. Culbard** parking concerns, noise and fly tipping/waste disposal. Called in the application.

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 JCS 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 is one other licensed HIMO within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 2 out of 63 properties (1.6%). This 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 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 generally to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guide. 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 confirm that the accommodation proposed would be acceptable for 4 residents.

Highways / Parking

7.4 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.

7.5 The application property is located within easy walking distance to facilities along St. Leonards Road and Towcester Road. It is considered that the application site is in a sustainable location within 140 metres of the nearest bus stop on Towcester Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.

- 7.6 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 details to be submitted for approval for secure cycle storage.
- 7.7 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.
- 7.8 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 4 parking spaces, which is an increase of 2 compared to the existing use as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority do not object to the proposal on highway safety grounds having considered the applicant's Parking Beat Survey
- 7.10 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.

Refuse storage

- 7.11 An appropriate condition for bin storage is to be secured to ensure an acceptable level of residential amenity.

Amenity

- 7.12 As the proposed HIMO is no more intensive than say a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Flood risk

- 7.13 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Design and impact on appearance and character of the street scene

- 7.14 As the two proposed front roof light could be installed without needing planning permission then it would be unreasonable to object to this element. In any event, the scale and size is in keeping with the host building and would not impact on neighbour amenity.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. It would also not have an impact on flood risk and have an acceptable impact on highway safety.

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 plans: 20TR/ PP01/01 and 20TR/ PP01/(REV -A)/02.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- 3) 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: 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.

- 4) Prior to the occupation of 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.

- 5) 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.

- 6) The loft space shall not be used at any time as bedroom accommodation associated with the approved house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

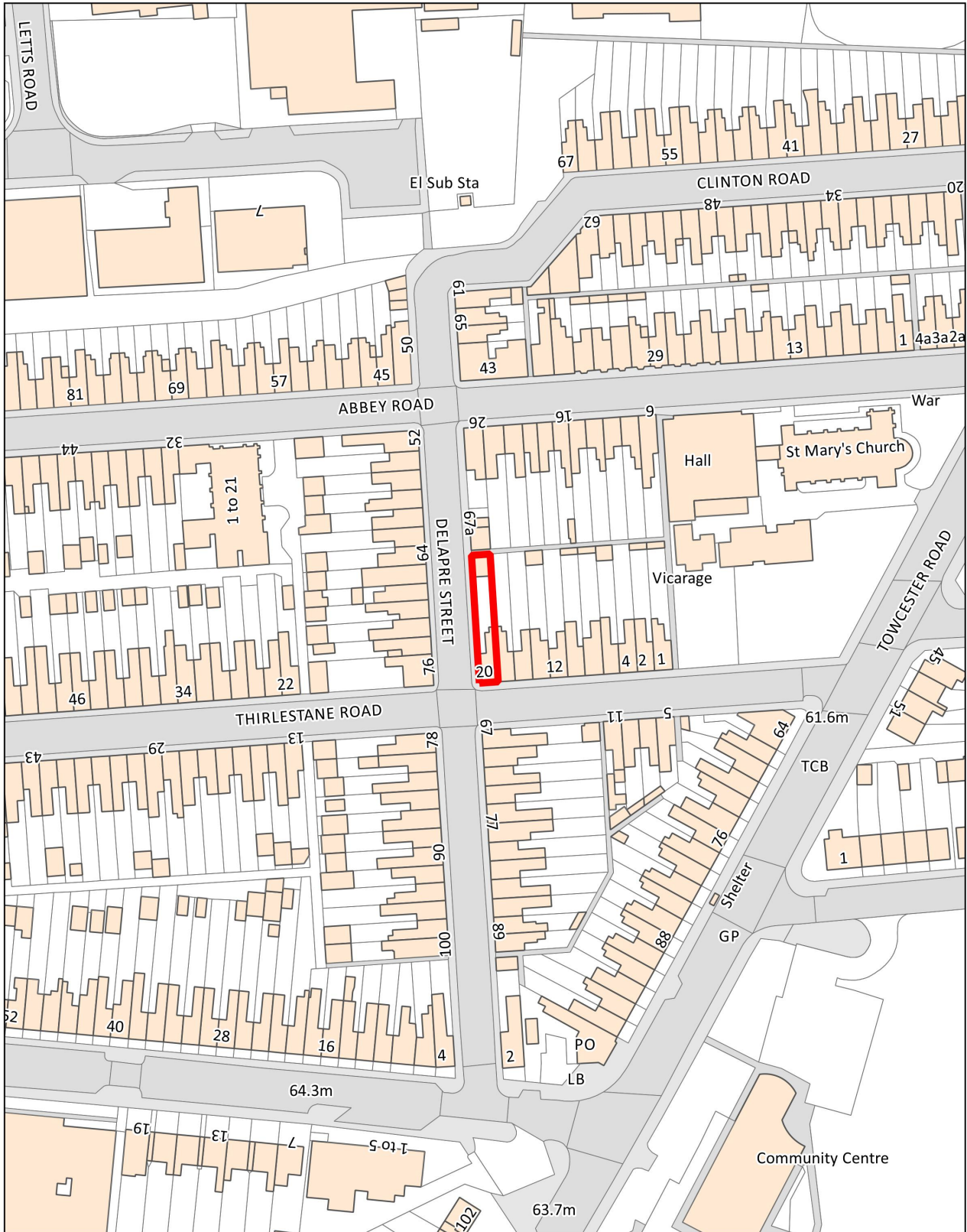
10.1 N/2017/0590


11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable as there would be no additional floor space created.

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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 20 Thirlestane Road</p>	<p>Date: 13-07-2017</p>
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PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0620

LOCATION: 5 Elysium Terrace

DESCRIPTION: Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation for 7 occupants (Sui Generis) incorporating demolition of existing garages to provide hard surface for parking area

WARD: Trinity Ward

APPLICANT: Mr Nevio Prandini
AGENT: Mr James Duggan

REFERRED BY: Councillor J Birch
REASON: Inadequate facilities to serve the residents

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 in principle 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 a Local 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 policies E20 and 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 The application proposes the conversion of the existing 6-bed dwelling to a house in multiple occupation for 7 people.

2.2 There will no external alteration to the main building. However, the current application includes demolition of the existing double garage to the rear of the property, which would be replaced by hard surface to provide 4 parking spaces. These spaces could be assessed through a service road off Freehold Street.

- 2.3 The site lies within an Article 4 Direction Area which removes permitted development rights for change of use from a dwelling to a HIMO. The proposed change of use into a HIMO with 7 occupants is categorised as a large HIMO (Sui Generis).

3. SITE DESCRIPTION

- 3.1 The property is a mid-terraced three storey dwelling located on Elysium Terrace, which is within close walking distance to Kingsthorpe Road and close to local shops. The area is predominantly residential in character.
- 3.2 The property has a separate entrance to the basement and has a double garage to the rear of the garden.
- 3.3 The application site is located within the designated Barrack Road Conservation Area.

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), Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 17 - Core Principles – seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, Local Planning Authorities

are advised to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 132 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

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 BN5: designated heritage assets & their setting will be conserved and enhanced.

Policy H1: Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5: seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10: requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30: requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

Policy E26: Development in Conservation Areas - requires developments to preserve or enhance the character and appearance of the area, and not to demolish buildings which make a contribution to the character and appearance of the conservation area, where they are capable of an alternative use.

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Barrack Road Conservation Area Appraisal

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 50m 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 refuse and recycling storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highway** has advised that the property is likely to result in an increased parking demand. However, there is sufficient on-street parking space on Freehold Street that the increase in demand will not compromise highway safety.
- 6.2 **NBC Conservation Team** - No objection to the change of use on conservation grounds. No external alterations are proposed to the building and the use will have a neutral impact on the historic character and appearance of the Barrack Road Conservation Area, which derives from the juxtaposition of factories, houses and commercial, social and religious buildings. The alterations to the rear garage are acceptable.
- 6.3 **Councillor Jane Birch** - has advised that although this is a large property, the lack of cooking and eating space appear to be inadequate for 8 people. The kitchen is also small and could not accommodate 8 people. The application has been called in to the Planning committee on that basis.
- 6.4 **NBC Private Housing Sector** - The premises will require licensing under the mandatory licensing scheme. The proposal meets requirements for an eight person HIMO.
- 6.5 **Barack Road Conservation Group** - has commented that the proposed change of use would result in over concentration of the HIMOs in the local area. The proposed development would result in fly tipping and refuse on the streets which would be harmful for the character of the conservation area. The proposal would also exacerbates the parking issues. The removal of garages will result in crime rate.
- 6.6 **Three neighbour objections** have been received. These objections are summarised as follows:
- Parking issues in the street and additional parking resulting in on street congestion.
 - Removal of garage would result in security concerns. Existing removal of garage form a barrier for access to all the properties garden.
 - Highway safety issues resulting from the congestion in the street.
 - Not appropriate for the area, as the development would affect the mix of the houses and would result in high density of HIMOs in the area.
 - Impact on the character of the conservation area.
 - Inadequate refuse storage and fly tipping in the wider area.
 - Increase in noise levels.

7. Appraisal

Principle of Use and Concentration

- 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 JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there is one other HIMO within a 50m radius of the application site. The addition of a further HIMO as proposed would lead to a concentration of 5.6% significantly below the 15% concentration. It is therefore not considered that the HIMO proposed would lead to any significant impact on the character and amenity of the surrounding area as a result and the principle is therefore considered acceptable.

Size of property and facilities for future occupiers

- 7.3 The application originally proposed to include 8 residents. The number has reduced to 7 and a lounge has been proposed. The submitted drawings do not indicate significant alterations to the property. The other bedrooms, kitchen and bathroom are as existing.
- 7.4 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 7 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light.
- 7.5 There is sufficient room to the rear of the property for bin storage and cycle storage which can be conditioned to be required prior to occupation as a HIMO. The drawings submitted indicate the provision of bin storage and cycle's storage in the rear garden, however condition has been recommended to submit the details.

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 Parking within the vicinity of the site is on-street on Freehold Street. The nearest bus stops on Kingsthorpe Road are approximately 100m from the property and the property is within approximately a 5 minute walk to the facilities, including bus services, on Kingsthorpe 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 goes on to say that storage space should be provided which is accessible to cycle users. Such space is available in this case and has been indicated on the submitted drawings. A condition is recommended requiring that the cycle storage is implemented and retained thereafter.

- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking are 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 7 parking spaces, which is an increase of 4 compared to the existing use, as the parking requirement for a 6-bed dwelling is 3 spaces.
- 7.11 In this case, 4 on-site parking spaces are proposed, although they are substandard in width. The LHA has advised that the property is likely to result in an increased parking demand in the area generated by the property. However, there is sufficient on-street parking spaces on Freehold Street that the increase in demand will not compromise highway safety.
- 7.12 Furthermore, regard must be paid to previous appeal decisions over the past year where Planning Inspectors have consistently taken the view that where a site is close to local amenities, 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.
- 7.13 The issues in this regard are finely balanced, however it is considered that in the absence of any objection from Highway Authority, recent appeal decisions and that the proposal complies with the Council's adopted Interim Planning Policy Statement for HIMOs, it is considered that the proposed change of use would not result in any highway safety issues and is acceptable in principle.

Residential Amenity and objections from Local Residents

- 7.14 All the bedrooms are of reasonable sizes and would meet the requirements for a HIMO. Where there is a separate lounge and kitchen, the standards require at least 6.5m² floor area. The kitchen has a floor space of 10m². On this basis, the space standards would be acceptable.
- 7.15 The risk of fire would be addressed through the Building Regulations and Premises Licensing aspects of the proposed use. Prior to occupation of the premises as a HIMO, a fire alarm system will be installed.
- 7.16 The submitted plans indicate provision for bin storage, to the rear of the premises, which is to an acceptable standard in line with the IPPS. The submitted management plan indicates that the property would be maintained by estate agents and they will carry out regular visits to ensure the property is kept to a high standard of cleanliness.
- 7.17 The HIMO is intended to provide accommodation for 7 persons. Anti-social behaviour and impact on quality of life of surrounding residents are often concerns raised by local residents. This is not an area that has a high number of HIMOs and it is not considered that there is a significant adverse impact on the surrounding area.

Impact on the Conservation Area

- 7.18 The proposal does not involve any external alterations to the main building and the proposed change of use is not considered to have any adverse impact on the character of the area. Owing to the fact that the existing garages are not of any particular architectural merits, demolition of these garages to the rear of the property is considered acceptable. It is therefore concluded that there is no demonstrable adverse impact on the setting and appearance of the Barrack Road

Conservation Area. Moreover, the Conservation Officer has raised no objection to the proposed development for change of use and proposed alterations to the garages.

7.19 Barrack Road Conservation group has objected to the proposed change of use. However, it is considered that the proposed change of use would have a neutral impact on the character or appearance of the conservation area.

7.20 **Flood Risk**

In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Other Matters

Security

7.21 Objections have been raised about the demolition of the garages because it can potentially result in security concerns for the local area. The additional information submitted with this planning application demonstrates that there would be an access controlled gated entrance from the parking area, which is deemed acceptable to address the security concerns raised from the demolition of the existing garages. It is acknowledged that these garages provide additional security; however, the mitigation measures proposed are acceptable. It is considered that the proposed development will not result in any security concerns for the local area. A condition has been recommended requiring the submission of the detailed scheme for the gated access to ensure that the secure gates are installed on site.

8. CONCLUSION

8.1 The proposed change of use from dwelling (Use Class C3) to house in multiple occupation for 7 people (Sui Generis) would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed.

8.2 There are no external alterations proposed to the main building and it is therefore considered there are no adverse impacts on the Barrack Road Conservation Area.

8.3 The proposal is therefore recommended for approval subject to the conditions listed below.

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. Notwithstanding the details of the fencing along the rear boundary, full details for the fencing along the rear boundary 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H30 of the Northampton Local Plan.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Parking/Bike/Bin Storage received on 7/7/17, Proposed Layout received on 7/7/17.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

4. The development hereby permitted shall be occupied by a maximum of 7 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.

5. Prior to the commencement of 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 Policy H30 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

6. Prior to the commencement 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H30 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

7. Notwithstanding the information submitted, full detail of the proposed rear gated access shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the method of hanging the gates and the associated closing mechanisms. The approved scheme shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of highway safety, the free flow of traffic and residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

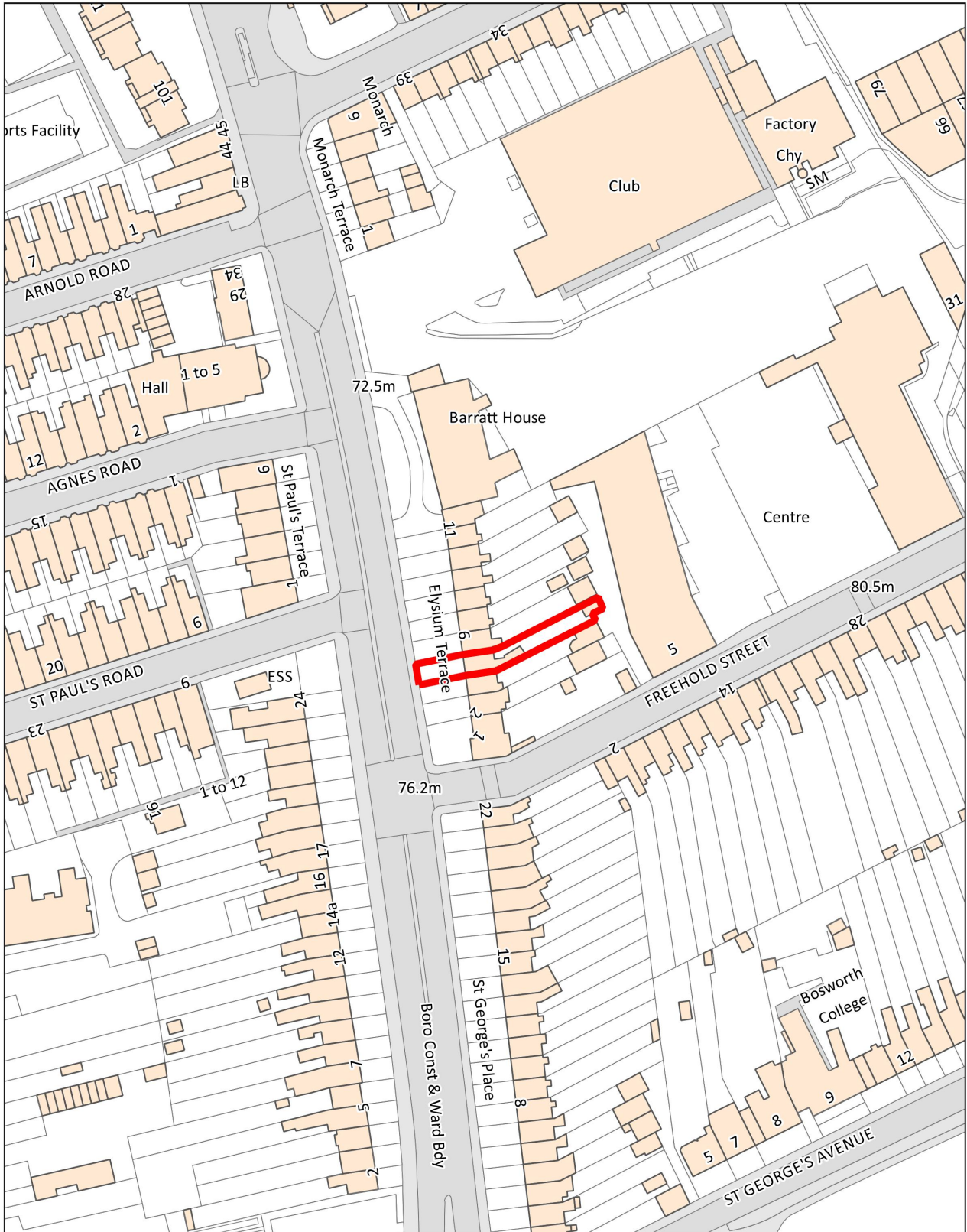
- 10.1 N/2017/0620

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL 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: **5 Elysium Terrace**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE:	25 July 2017
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2017/0653
LOCATION:	22 Cranstoun Street
DESCRIPTION:	Change of Use from a Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants
WARD:	Castle Ward
APPLICANT:	Mr Wai Keung Chan
AGENT:	Mr Wai Keung Chan
REFERRED BY:	Councillor D Stone
REASON:	Overconcentration, refuse and anti-social behaviour concerns
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 in principle as it would not result in an over concentration of similar uses within the vicinity of the site and would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to the town centre amenities and would provide adequate facilities for cycle storage and refuse storage. There would be no undue impact on the conservation area also. The proposal thereby complies with Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and 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 The proposal is for a change of use of a dwelling (Class C3) to a house in multiple occupation for three occupants (Class C4). There are no external works proposed associated with the conversion.

3. SITE DESCRIPTION

3.1 The site consists of terraced dwelling located along a residential street of similar properties. Parking is provided on-street. The property has private rear amenity space and the site is in the

Booth and Shoe Quarter conservation area. The site is within walking distance of the town centre. The site is not in a flood zone.

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraphs 100 to 104 relate to flood risk in determination of planning applications.

Paragraph 132 relates to the impact on heritage assets including conservation areas.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for

affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings

BN5 relates to impact on heritage assets and includes development in conservation areas.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

E26 Conservation areas - requires development to preserve or enhance the appearance and character of conservation areas

Policy H30 - requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Northamptonshire Planning out Crime 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 50m 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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** - The property in question is within the Permit Zone E and therefore all parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered to any property as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident within the revised property will be issued with a permit.
- 6.2 **NBC Conservation** - No objection on conservation grounds. On the basis that no external alterations are proposed, the use will have a neutral impact on its historic character and appearance, which derives from the juxtaposition of factories, houses and commercial, social and religious buildings.
- 6.3 **NBC Private Sector Housing** - No objection, property is suitable for 3 persons. The premises will require a separate License.
- 6.4 **Objections from 7 neighbouring properties:**
- Parking
 - Already an over concentration of similar uses in the area
 - Rubbish concerns
 - HIMOs generally not managed properly
 - Increase in anti-social behaviour
 - Noise concerns
 - Loss of family home
- 6.5 **Councillor D. Stone** - impact on parking, area would become saturated by HIMO leading to difficulties with developing community and family life and nuisance caused by fly tipping, littering and anti-social behaviour. Called in the application.

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 JCS 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 7 existing HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 6.4% concentration in the area (8 out of 124 properties). This 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 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 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 3 people would ensure over-development does not occur. All bedrooms would be

served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable for 3 residents.

Highways / Parking

- 7.4 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. The application property is within 10 minutes walking distance of Abington Street, Northampton's main shopping street.
- 7.5 Where parking is not provided in accordance with the above, the IPPS recommends that storage space should be provided which is accessible to cycle users. In this case this can be accommodated at the rear of the house, and a condition is therefore recommended requiring that this should be provided and made accessible to all residents.
- 7.6 On this basis, 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.
- 7.7 These standards indicate that the property should provide a minimum of 3 on-plot parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 2-bed dwelling is 2 spaces. However, the Local Highway Authority are raising no objections, although they have the right to restrict parking permits in the area.
- 7.8 It is considered that the additional impact of the current proposal, in terms of demand for parking, would be marginal. It would thereby be difficult to justify a refusal of planning permission on this basis.

Refuse storage

- 7.9 An appropriate condition for bin storage is to be secured by condition to ensure an acceptable level of residential amenity.

Amenity

- 7.10 As the proposed HIMO is no more intensive than a family dwellinghouse which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Impact on appearance and character of the Boot and Shoe Quarter Conservation Area

- 7.11 The Council's Conservation Officers have no objections as no external works are proposed. It is considered that the proposed development would have a neutral impact on the character and appearance of the Conservation Area.

Flood risk

- 7.12 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Other issues

- 7.13 There is no evidence to suggest that a HIMO would increase anti-social behaviour or would not be managed properly. Again, there is no evidence to suggest that this use would be noisy compared to a family dwelling house.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed without having an undue effect on the conservation area or highway safety.

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 plans: Location Plan, Proposed Floor Plans.

Reason: For the avoidance of doubt and to accord with the terms of the planning application

- 3) 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 4) Prior to the occupation of 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 the Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 5) The maximum number of occupiers shall not exceed three 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.

10. BACKGROUND PAPERS

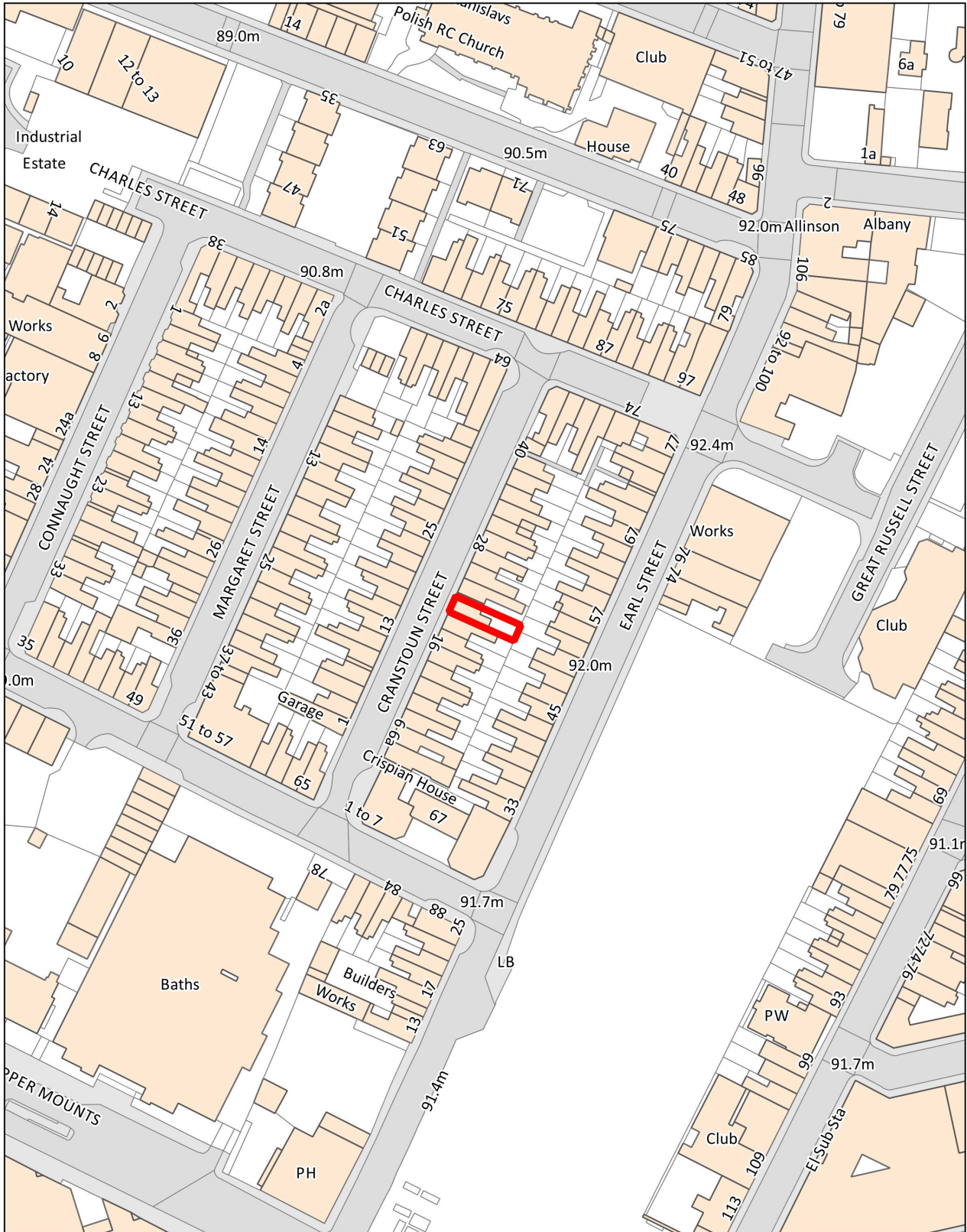
- 10.1 N/2017/0653

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable as there is no new floor space being created.

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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 22 Cranstoun Street</p>	<p>Date: 11-07-2017</p>
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PLANNING COMMITTEE: 25th July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0680

LOCATION: 23 King Edward Road

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

WARD: Abington Ward

APPLICANT: Mr Lee Adcock
AGENT: Mr Lee Adcock

REFERRED BY: Councillor D Stone
REASON: Loss of family house 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 in principle 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 a Local 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 Policies E20 and 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 dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people. No external alterations are proposed to the property. Parking would be on-street.

2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced, three-bedroom property on King Edward Road, located in a residential area with similar terraced properties on both sides of the street. The application property is currently being used a family dwelling.
- 3.2 The property has a kitchen, lounge, dining room and a bathroom on the ground floor, three bedrooms and one bathroom and an office on the first floor. There is a lean to storage area on the ground floor.
- 3.3 The site is in close proximity to Park Avenue South with access to bus routes. There are local shops and facilities within 5 to 10 minutes walking distance.
- 3.4 The application site does not lie in Flood Risk area.

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), 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:

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour or sustainable development.
- 5.5 Paragraph 50 - Planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

5.6 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:

- 5.7 Policy H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing

developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, and the impact on the amenities of occupiers of neighbouring properties.

5.8 Policy H5 – Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs, where they would not adversely impact upon the character and amenity of residential areas.

5.9 Policy S10 – Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings

5.10 **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:

5.11 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

5.12 Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.13 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004.

5.14 **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 D. Stone** - raises objection on the basis that the proposed development will result in loss of family housing in this area and cannot afford any further parking pressures on this very busy street. Called in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** - has objected to the proposed change of use. Highway Engineer has advised that on the basis of information submitted with the application and that there is no residual parking capacity on-street, the cumulative impact from the high concentration of HIMOs is contributing towards inappropriate parking in other areas. In the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the existing parking problems in the area.
- 6.3 **Private Sector Housing (NBC)** - The room sizes indicated on the submitted plans comply with requirements for a 4 occupant HIMO.
- 6.4 **Three neighbours from 2 addresses** have objected on this planning application. These objections are summarised as follows:
- Parking issues in the street and wider area.
 - Inadequate refuse storage and fly tipping affecting the character of the area.
 - Noise related issues.
 - Not appropriate for the area, as the development would affect the mix of the houses and would result in high density of HIMOs in the area.
 - The proposal would result in anti-social behaviour.

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 JCS 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 no confirmed HIMOs on King Edward Road, Garrick Road, Thursby Road or Sandringham Close within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 1.52% concentration in the area. This 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 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 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. All bedrooms would be served by adequate outlook and light. Private Sector Housing are satisfied with the accommodation proposed.

- 7.4 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by condition.

Flood Risk

- 7.5 In respect of flood risk, the application site does not lie in Flood Risk Area.

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 King Edward Road and Wellingborough Road. It is considered that the application site is in a sustainable location within 200 metres of bus stops on Park Avenue South and Wellingborough Road and within walking distance of local facilities on King Edward Road and Wellingborough 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. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure 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 4 parking spaces, which is an increase of 2 compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces.
- 7.11 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.12 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use 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 previous appeal decisions over the past few months 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 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.

Refuse storage

- 7.15 No details have been submitted for refuse storage. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the exact details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

- 7.16 All the bedrooms are of reasonable sizes and would meet the requirements for a HIMO. Where there is a separate lounge and kitchen and dining area, the standards require at least 6.5m² floor area. On this basis, the space standards would be acceptable.
- 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. Moreover, this is not an area that has a high number of HIMOs and it is not considered that there is a significant adverse impact on the surrounding area.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon 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.
- 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 proposal is therefore recommended for approval subject to the conditions listed below.

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. Prior to commencement of development, full details of storage facilities for refuse and materials for recycling shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation as permitted and maintained 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.

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 following approved plans: Site Location Plan, Proposed Ground Floor Plan, Proposed First Floor Plan.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

5. Prior to the commencement of 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: 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

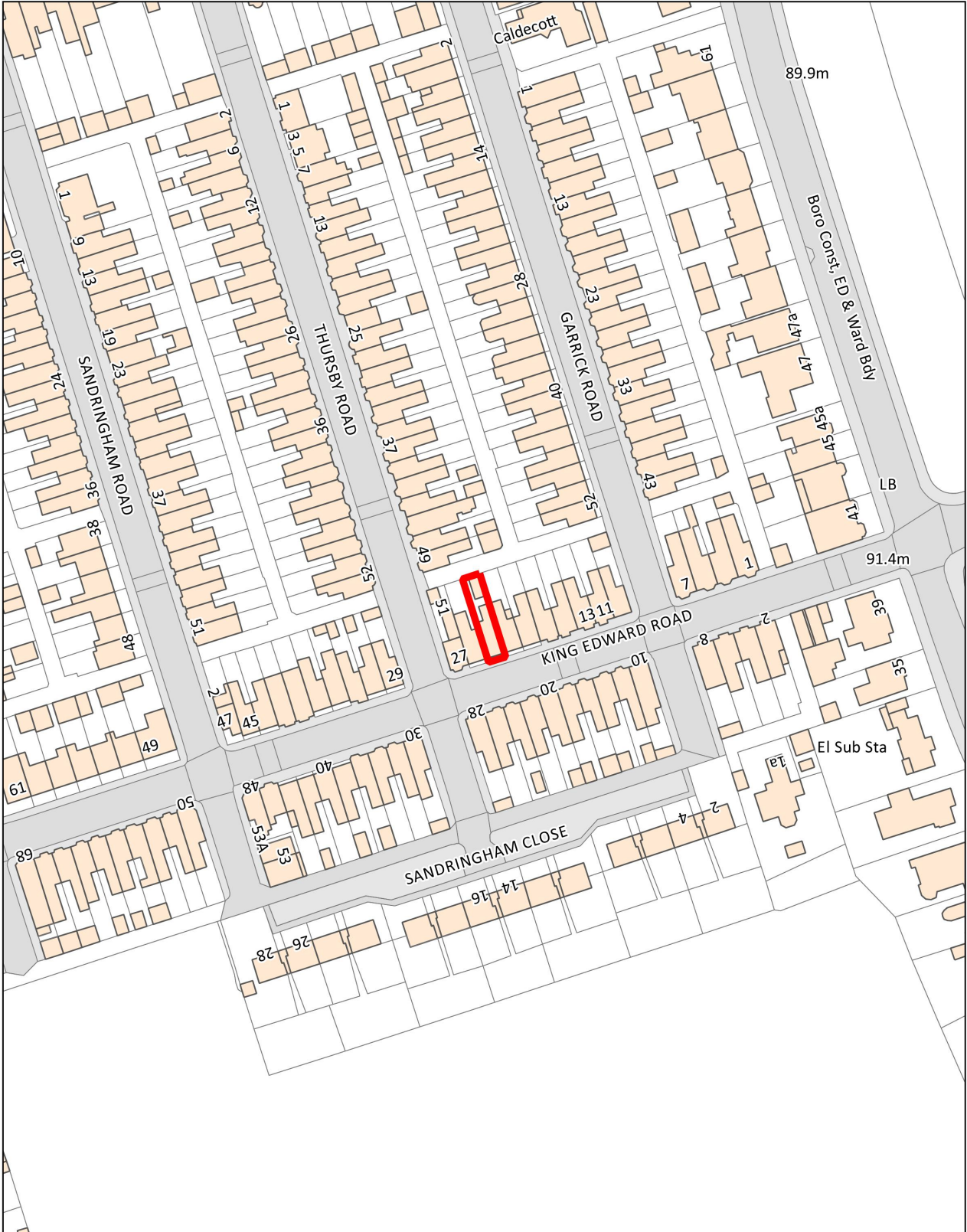
- 10.1 N/2017/0680

11. LEGAL IMPLICATIONS

- 11.1 The development is CIL not 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.



Title: **23 King Edward Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0710

LOCATION: 100 Southampton Road

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Simon Phillips
AGENT: Mr Simon Phillips

REFERRED BY: Councillor V Culbard
REASON: Parking and refuse concerns

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 in principle 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 flood risk. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops 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, Policies E20 and 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 The proposal is for a change of use of a dwellinghouse (Class C3) to a house in multiple occupation for four occupants (Class C4). There are no external works proposed with the conversion.

3. SITE DESCRIPTION

3.1 The application site consists of a terraced dwelling along a street of similar properties. The property has a private rear garden and parking is provided on street along Southampton Road. The site is not in a conservation area. The site is in a medium risk flood zone (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), 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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraphs 100 to 104 relate to flood risk in determination of planning applications.

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 - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings

BN7 Flood Risk - relates to determination of planning applications in relation to flooding.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

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 50m 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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environment Agency** the proposal falls in Flood Zone 2 and there are no objections in terms of flood risk.
- 6.2 **NBC Private Sector Housing** no objections as all room sizes are acceptable for a 4 person HIMO. The property is not currently licensable as an HIMO.
- 6.3 **NCC Highways** Raise objections. The information above demonstrates that is no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HMO's properties is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any development impact that compromises the safety of motorists and pedestrians on the

highway network is considered severe. In conclusion, in the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the exiting parking problems in the area.

6.4 3 letters of objections received:

- Parking concerns
- Already too many HIMOs in the area
- Over-concentration
- Waste disposal issues

6.5 **Councillor V. Culbard** - on parking and rubbish disposal; called in the application.

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 JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas. The property has already had permission for a 4 person HIMO which has established the principle of residential use.

Area concentration

7.2 Council records evidence that there are no licensed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 1.03% concentration in the area. There are currently 2 other planning applications received by the Council for a change of use to HIMOs within the immediate area, if all 3 applications were to be approved, this will result in 3 out of 98 properties in the area giving 3.1% concentration. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents. There are no established 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. 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 confirm that the accommodation proposed would be acceptable for 4 residents.

Highways / Parking

7.4 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.

7.5 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 230 metres of the

nearest bus stop on St. Leonards Road and within walking distance of local facilities on St. Leonards Road and Towcester Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.

- 7.6 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 details to be submitted for approval for secure cycle storage.
- 7.7 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.
- 7.8 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 4 parking spaces, which is an increase of 2 compared to the existing use. As parking requirement for a 3-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.10 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.
- 7.12 Notwithstanding the fact that there are outstanding applications for HIMOs within the vicinity of the site which may have the potential for cumulative impacts on parking within the locality, 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.

Refuse storage

- 7.13 A planning condition for bin storage is to be secured to ensure an acceptable level of residential amenity.

Amenity

- 7.14 As the proposed HIMO is no more intensive than say a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Flood risk

7.15 In respect of flood risk the application site is in a medium risk flood area and the Environment Agency raise no objections.

8. CONCLUSION

The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HMOs, would not result in an over concentration of HMOs within the locality and would provide suitable accommodation for the number of occupants proposed. There would also not be an adverse impact on flood risk and highway safety.

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 plans: 2017/3/01 and 02.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- 3) 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.

- 4) Prior to the occupation of 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.

- 5) The maximum number of occupier shall not exceed four at any one time.

Reason: To prevent over-development to accord with Policy H5 of the Joint Core Strategy.

- 6) The first floor rear bedroom window shall be replaced with a clear glazed window prior to the first occupation as a House in Multiple Occupation and retained as such throughout the lifetime of development.

Reason: In the interests of residential amenity to comply with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

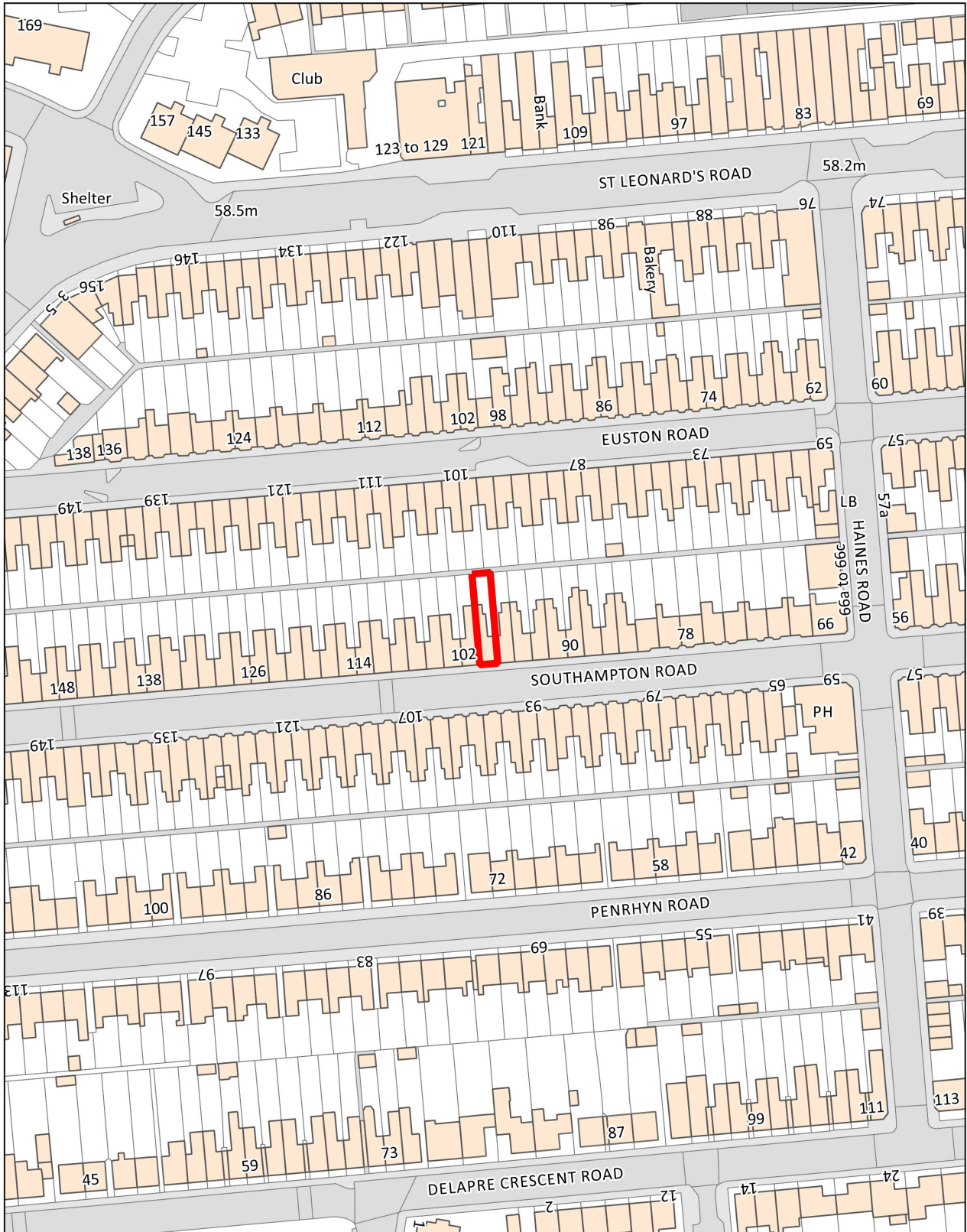
10.1 N/2017/0710

11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable as there would be no additional floor space created.

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: **100 Southampton Road**

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Date: 12-07-2017

Scale: 1:1,250

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PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0757

LOCATION: Delapre Abbey , London Road

DESCRIPTION: Additional car parking provision to include disabled and coach parking, additional pedestrian and delivery provision, lighting and fencing

WARD: Delapre & Briar Ward

APPLICANT: Delapre Abbey Preservation Trust
AGENT: BCAL Consulting

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

Subject to planning conditions imposed, the impact of the proposed development on the character, appearance or historical significance of the listed building, the registered Battlefield and Delapre Conservation Area would be outweighed by the public benefit arising from the development, with no unduly adverse impacts on neighbour amenity, road safety or drainage. The impact of the proposal on the registered Battlefield has been minimised by appropriate site selection of the proposed car park and the proposal would assist with the overall project to restore the Abbey and bring it back to viable use and thereby accords with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks planning permission for additional parking to serve Delapre Abbey, providing 128 general car spaces in total, an increase of 82 above the current provision, as well as 6 disabled parking spaces and 2 coach spaces. The additional parking provision would come from remodelling and extension of the existing parking areas and the provision of an additional grasscrete parking area. The proposal differs from the previously approved scheme, as altered by a minor amendment in July 2016, only in the detailed design of the parking layout.

- 2.2 The proposal also includes a pathway to visitor reception, new fencing and railings and lighting plus CCTV cameras to the car park. Originally proposed was a delivery loop for the restaurant to the front of the 18th Century Stable Block but following concerns being raised by Historic England and the County Archaeologist, this has been amended to a drop off bay only and relocated further away from the Abbey

3. SITE DESCRIPTION

- 3.1 The site of this proposal includes the existing car park area, which would be reconfigured, and a grassed area adjacent to this, within the grounds of the Abbey. This grassed area is located to the north of the drive, before the main Abbey buildings and is adjacent to one residential property (Park Cottage).
- 3.2 The site is within the Delapre Park Conservation Area as well as the registered Battle of Northampton site. The Abbey buildings are Grade II* listed.

4. PLANNING HISTORY

- 4.1 In October 2013 an application was approved for the repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House and change of use to include functions/events, conferences, guided tours, visitor and heritage centre and ancillary retail, offices, café and restaurant, and holiday lets. An associated application for listed building consent for the works required was also approved at that time.
- 4.2 Subsequently applications for associated works have also been approved, mainly for advertisement consent but also for a disabled toilet, café facility and the siting of temporary buildings.
- 4.3 Application N/2015/1498 for the formation of a parking area was approved in March 2016 and the layout was subsequently amended under application N/2016/1010 which was approved in July 2016 by the Planning Committee.

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.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 17: states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 126: states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 131: in determining applications Local Planning Authorities should take account of: The desirability of sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation; The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and any harm should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133: where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 134: Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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 S10 – Sustainable Development Principles – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; protecting, conserving and enhancing the natural built environment and heritage assets and their settings.

Policy BN5 - The Historic Environment- which sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

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 E9 Locally Important Landscape Areas gives special importance to the impact of proposals to the character of locally important landscape areas.

Policy E20 which states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of

appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E26 which states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

Policy E38 which states that planning permission will not be granted for development which would adversely affect the character or setting of a nationally important ancient monument (whether scheduled or not), important historic landscape or the site of the battle of Northampton.

5.5 **Supplementary Planning Documents**

The Site of the Battle of Northampton Conservation Management Plan 2014
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **County Archaeologist** – The delivery loop should be deleted from the plans, other below ground elements can be dealt with by a suitable mitigation strategy.
- 6.2 **Environment Agency** – No objection to the above application and no Flood Risk Activity Permit is required.
- 6.3 **Historic England** – Acknowledges the need for an appropriate transport management system and security measures including a suitable lighting scheme to support the long term sustainable use of the Delapre Abbey site. Concerned by the quantity and design of the proposed lights, and the visual impact of these installations in this sensitive area of the main approach to the principal building. Would recommend that the number of lanterns is reduced significantly. The safety and security requirements of the site could potentially be met with a scheme that responds more sensitively to its particular historic character. The proposed new vehicular loop with associated gated access points would not be in keeping with the character of the polite architectural style associated with the stable block and the main house and as result would have a harmful impact. Therefore recommend that the current proposals are amended taking account of opportunities to reduce the harm caused.
- 6.4 **NBC Conservation** – The revised plans remove the previously proposed delivery access route. As now revised, the extent and layout of the car park is similar to that granted consent in 2016 and will have no greater impact on the character and setting of the listed buildings and Delapre Park Conservation Area. The delivery bay is acceptable. The proposed 6 metre high lamp standards will be visually intrusive but have been justified as necessary to create a safe environment for users of the car park. The bollard lighting is appropriate and acceptable.
- 6.5 **Public Protection** – No objections or comments.
- 6.6 **Lead Local Flood Authority** – This application is outside the scope of applications on which the Lead Local Flood Authority would comment, therefore refer to standing advice.
- 6.7 **Local Highway Authority** – The Traffic Management Plan submitted is sufficient to ensure that the proposed development will not negatively impact the highway network.
- 6.8 One letter of objection received from a neighbouring occupier, making the following points in summary:

- Traffic Management - need to advise users that the drive is a single track road with passing places, especially people unfamiliar with the drive. This needs to be a condition on any planning approval.
- Security - there have been recent issues including theft, damage, anti-social behaviour. There needs to be appropriate security to deal with this. There was a proposal to install gates at the end of the drive which appear to have been dropped. The council have a responsibility to consider community safety.

7. APPRAISAL

- 7.1 The issues to consider are the impact on the registered Battlefield, the Conservation Area, the setting of the listed building and on the amenities of adjoining occupiers, with particular reference to the difference in impact of the current proposals in comparison to the previously approved scheme.
- 7.2 In this respect, the layout of the parking area itself is very similar to that previously approved, with only minor variations in the detailed layout of spaces. The car park would be finished with a grasscrete surface and a non-invasive methodology would be adopted in terms of the method of construction. It is not considered, therefore, that there would be a significant impact, over and above that which has been previously assessed and considered to be acceptable.
- 7.3 In terms of the impact on adjoining occupiers, the car park would be close to the boundary with the garden of the neighbouring occupier Park Cottage. There would be landscaping provided between the parking spaces and the garden, which would provide some separation. The visual impact of the car park when not in use would also be minimised, as it would retain a green appearance and would not be marked out with lines.
- 7.4 However, it is considered that parking close to this neighbouring property would have more of an impact in the evenings. However, the impact of this can be satisfactorily mitigated by the management of the car park. This traffic management would enable control over where vehicles are parked on the site as well as access arrangements, reducing congestion. The car park will be covered by CCTV cameras which would help to deter potential anti-social behaviour in the area.
- 7.5 As with the previous application, some of the existing trees within the site would need to be removed. The extent of the work would be similar to what was previously proposed and received permission. It is not considered that the work would have any greater impact than previously considered acceptable. Nevertheless, details of tree protection measures will be required and a condition to this effect is recommended.
- 7.6 It is recognised that some impact will inevitably result, but this must be balanced against the need for parking to be provided, to allow the listed building to function as a visitor attraction and thereby secure its long term viable future. The public benefit to return the Abbey to long term viable use would outweigh any less than substantial harm that the proposal would incur.
- 7.7 It can also be noted that the submitted Traffic Management Plan has now been agreed by the Local Highway Authority, and a condition is proposed to require that the development is carried out in accordance with this plan. Notwithstanding the concerns raised by the local resident, it is considered that traffic safety would not be compromised by the proposal.
- 7.8 In addition to the minor changes to the layout of the car park, other changes are proposed in the current application, which have resulted in an increased site area for this development. For this reason it has not been possible for the current proposals to be submitted as a non-material amendment application, as was the case with the previous car park alterations.

- 7.9 The most significant of these changes was the introduction of a turning loop for delivery vehicles. The justification given for this is the need for deliveries to be made in close proximity to the restaurant. However, this proposed turning loop would have encroached upon important elements of the approach to the Abbey. This led to concerns being raised by Historic England and the County Archaeologist. As a result, this element of the proposals has been removed and replaced with a delivery area further away from the Abbey buildings. This would lead to much less encroachment and would have less than substantial harm to the character and setting of the Abbey and the Conservation Area.
- 7.10 A further element of the proposal is for the installation of new fencing and gates around the site, specifically between the car parking area and the main entrance to the Abbey. This also resulted in concerns being raised by Historic England, who have commented that the style and position of these features is not in keeping with the architectural style of the building and would have harmful impact. As a result, this element of the proposal would be omitted and a planning condition is recommended to confirm this.
- 7.11 Another new element to the scheme is the detailed design of lighting for the car parking area and access paths. The proposed lighting will take the form of pathway lighting bollards (0.6m high) and lighting columns with lanterns (6m high) in and around the perimeter of the car park. These also led to concerns being raised by Historic England, in particular relating to the number and type of lighting proposed, although not the principle of providing lighting to the area. In order to reduce further delay in the construction of the car park, it is considered that further details in terms of the number of lighting columns and design could reasonably be dealt with by planning condition, so that further details could be submitted and further consultation could be carried out with History England. This will allow other elements of the scheme to proceed, to enable the Abbey to be opened to the public in good time.
- 7.12 The proposal also includes the provision of CCTV cameras in around the car park area. They will be fixed to 4m high metal columns. Due to the fact that the car park will be located in a secluded corner, CCTV cameras are essential to improve security of the site, this is a point also raised by local residents. It is acknowledged that these are modern addition to the area, bearing in mind their simple design and removable nature, it is considered that their installation would not result in significant harm to the setting of the Abbey and the Conservation Area.
- 7.13 It is considered that the proposed revised car park layout would not cause unacceptable impact on the character and setting of the listed Abbey, Battlefield and the Conservation Area. Any impact would consider to be less than substantial and will be outweighed by the benefit to provide parking to serve the Abbey.

8. CONCLUSION

- 8.1 In conclusion, the majority of the alterations to the parking area are minor in nature and would have no significant additional impact when compared to the previously approved scheme, either on the historic setting, the amenities of adjoining occupiers or the highway network. The detailed elements of the proposal, which are of concern to Historic England and the County Archaeologist, can be required to be amended by planning conditions as recommended below and as such can be overcome without delaying the commencement of works, It is considered that the proposal complies with Development Plan Policies and the 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 plans: 5489-61 A, 5489-63 A, 5489-64 B, 5489-65 A, 5489-66 A, 5489-67 A, 5489-70 A, 5489-SL-01, BS5837 2012 Tree Survey, A124/EI-01 B, A124/EL-02 B, A124/SEC-02 A

Reason: For the avoidance of doubt and to accord with the terms of the planning application

- (3) Development shall take place only in full accordance with the programme of archaeological work as set out in Ian Soden Heritage Services Report dated 21/03/17, updated as appropriate to take into account the revisions to lighting as required under Conditions 4 and 5 of this permission.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to prevent any damage to archaeological remains which would otherwise occur.

- (4) Notwithstanding the submitted details, full details of lighting including the number and design to be used within the car parking areas shall be submitted to and approved in writing by the Local Planning Authority and shall be put into place prior to the commencement of the use of the car park hereby approved and retained thereafter.

Reason: In the interests of security and the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (5) Notwithstanding the submitted details, a detailed scheme of hard and soft landscaping for the parking area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (7) The site shall be operated in full accordance with the BCAL Traffic Management Plan (Project Number 5489, Issue Date June 2017) upon first use of the car park hereby approved and shall continue to be operated thus thereafter.

Reason: To manage the impact on the highway network and to protect the amenities of neighbouring occupiers and for the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (8) This permission does not confer consent for the proposed fencing and gates as shown on the submitted drawings.

Reason: For the avoidance of doubt and to prevent detrimental impact on the setting of the listed buildings and conservation area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (9) Prior to the commencement of any work in respect of the laying out of the overspill parking area hereby approved, where such works would be within the Root Protection Areas of any trees, details of tree protection measures to be used together with details of the method of construction of the parking area (which for the avoidance of doubt shall be a “no dig” method) shall be submitted to and approved in writing by the Local Planning Authority. Within this area all works shall be carried out using the approved construction method, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the character and appearance of the Conservation Area and the setting of the Listed Buildings, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of details.

10. BACKGROUND PAPERS

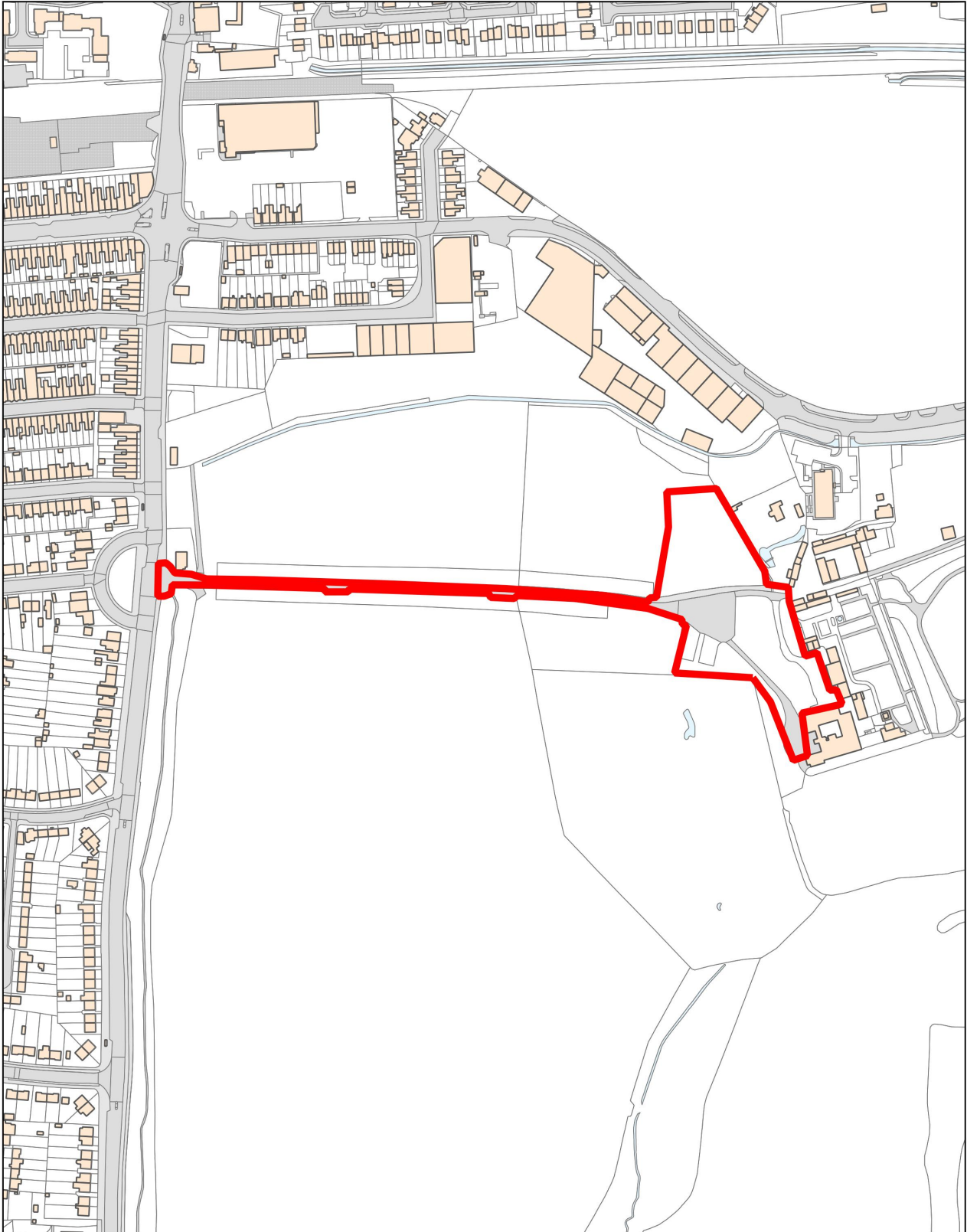
- 10.1 Application File N/2017/0757.

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: 12-07-2017

Scale: 1:3,500

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