

PLANNING COMMITTEE: 11 June 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0184 Change of use of dwelling to 6 bedroom
HIMO (Re-submission of Planning Permission
N/2012/0762) at 26 Cloutsham Street

WARD: Castle

APPLICANT: Mr P Spencer
AGENT: N/A

REFERRED BY: Cllr Stone
REASON: Would result in an overdevelopment of the
building

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions and for the following reason:

The use of this dwelling as a 6 person HIMO situated in an existing residential area is acceptable as it will provide accommodation to a reasonable standard and not be detrimental to residential amenity, the character of the conservation area or highway safety in accordance with Policies H6, H30 and E26 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 Planning permission has already been granted for a 5 bedroom HIMO under N/2012/0762 and it is proposed to increase the number of bedrooms to 6 by converting the basement.

3. SITE DESCRIPTION

3.1 Existing terraced dwelling situated on the southern side of Cloutsham Street. This street is predominantly residential in nature and

characterised by terraced dwellings. The site is situated within the Boot and Shoe Conservation Area.

4. PLANNING HISTORY

4.1 N/2012/0762 – Change of use to 5 bedroom HIMO – approved.

5. PLANNING POLICY

5.1 Development Plan

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 current Development Plan comprises of the saved policies of Northampton Local Plan 1997.

5.2 National Policies

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E26 - Conservation Area

H6 - Housing

H30 - Multi-occupation within a dwelling

6. CONSULTATIONS/ REPRESENTATION

6.1 **Private Sector Housing (NBC)** – Following a site visit it was concluded that the property meeting the HIMO standards and would be suitable for 6 individual occupants. As the property is habited over three-storeys and once occupied by 5 or more individuals it will require a mandatory HMO licence under Part 2 of the Housing Act 2004. This application has been received.

6.2 **Public Protection (NBC)** – Raise no objection but recommended noise insulation conditions to reflect current Building Regulation standards.

6.3 **Conservation** – No objections as the development would not materially alter the character and appearance of the Boot and Shoe Conservation Area.

6.4 **Highway Authority (NCC)** – Indicate that ideally the use of the property should provide 2 to 3 parking spaces.

6.5 **Cllr Danielle Stone** – considers the proposal is overdevelopment.

7. APPRAISAL

7.1 The property already has the benefit of a planning permission for use as a 5 bedroom HIMO (N/2012/0762) granted in October 2012 which had not been implemented at the time of drafting this report. That

permission restricted the number of residents to 5. The current application proposes to increase the number of bedrooms to 6 by converting an existing basement.

- 7.2 The property has been converted to a good standard without it being occupied for the permitted purpose of a 5 person HIMO. The basement has a new larger window to the front elevation which gives the room adequate light and ventilation and complies with the necessary building regulations.
- 7.3 It is considered the property is of sufficient size to accommodate a further person. There is a good size lounge and kitchen on the ground floor to provide the required facilities for such a HIMO. The Council's Private Sector Housing Officer also considers that the house can contain a 6 person HIMO without being an overdevelopment. The applicants have submitted a management plan to ensure the property is well kept and will not have an adverse impact on the local community.
- 7.4 The Council's Public Protection Team has recommended conditions to regarding noise insulation conditions to reflect current Building Regulation standards. As these matters are controlled through the building control process, planning conditions would be an unnecessary duplication in conflict with Circular 11/95 (which governs the use of planning conditions).
- 7.5 The street is characterised by terraced properties the majority of which are in single family occupancy and it does not have the character or appearance of "bedsit" land. Therefore, the proposed use will not have a detrimental effect on the character of the locality.
- 7.6 The Council's Conservation Officer has no objections to the proposal as it will not impact on the setting and character of the Boot and Shoe Conservation Area.
- 7.7 The Highway Authority has indicated that this type of use should provide off-street parking. In practice this is not possible as the application site is a terraced house, which has no off-street parking like the majority of the houses in the street. The proposal would result in only one additional occupant. It is not considered that this additional use would have a significant effect on demand for on-street parking. If the future occupiers of the property have cars there is parking available in Cloutsham Street and the site is in a very sustainable location close to the Town Centre and the facilities in Kettering Road and Wellingborough Road.

8. CONCLUSION

- 8.1 The property already has the benefit of planning permission for a 5 person HIMO and the increase to 6 persons is considered acceptable as the property is large enough to contain that number without being

detrimental to the amenity of either the future occupiers of the building or the nearby residents or the character of the locality.

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) There shall be no more than 6 people residing at the property at any one time.

Reason: In the interest of the amenity of nearby residents and to ensure the amenity of the future occupiers of the property is preserved in accordance with Policy H30 of the Northampton Local Plan.

- 3) The use hereby permitted shall only proceed and continue in full accordance with the approved Management Plan details of which were submitted with the application.

Reason: In the interests of residential amenity and the character of the locality in accordance with Policy H30 of the Northampton Local Plan.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: 12/M228/1A.

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

10. BACKGROUND PAPERS

- 10.1 N/2013/0184 and N/2012/0762

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: Planning
 Date: 24th May 2013
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
26 Cloutsham Street

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