



PLANNING COMMITTEE: 10th June 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0262: Change of use from dwelling (Use Class C3) into house of multiple occupation (Use Class C4) for 4 tenants – retrospective application at 25 Stanley Street

WARD: Semilong

APPLICANT: David Hennelly
AGENT: N/A

REFERRED BY: Cllr. L. Marriott
REASON: Due to the over provision of house in multiple occupation in the locality and parking problems in the area

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework, Policy H6 of the submitted version of the West Northamptonshire Joint Core Strategy (as subsequently modified) and Local Plan Policy H30.

2. THE PROPOSAL

- 2.1 The application seeks planning permission to operate the building as a house in multiple occupation for four people. The application is submitted retrospectively as the use as a HIMO is existing, although it is operating currently as a HIMO for 5 people. Both Housing and Building Control Officers stated that the basement accommodation is unsatisfactory in terms of light, ventilation and means of escape in the event of a fire and has therefore been omitted from the application. No external changes have been made to facilitate the change of use.

3. SITE DESCRIPTION

- 3.1 The application site comprises a two storey mid terraced dwelling (with basement) situated on the south side of Stanley Street in the Semilong area of Northampton. The dwelling is situated within a primarily residential area as allocated in the Northampton Local Plan and lies in an area where an Article 4 direction requires that planning permission is needed for Class C4 use. This Article 4 came into force on 14th March 2012.
- 3.2 The property fronts directly onto the street and has an enclosed rear garden. No car parking spaces are provided on site. The site is surrounded by residential accommodation comprising single dwellings and some houses in multiple occupation. A small general store and off licence is located nearby at 16 Stanley Street and a small local centre is located 175 metres away in Semilong Road.
- 3.3 The application site is also located within close proximity of Barrack Road which contains a wider array of commercial facilities and access to the Racecourse. In addition a number of bus routes operate in Barrack Road running to the north and the town centre.

4. PLANNING HISTORY

- 4.1 N/2014/0136 – Application for lawful development certificate for existing use as a house in multiple occupation (Use Class C4) - Refused.

5. PLANNING POLICY

- 5.1 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 Northampton Local Plan 1997 saved policies, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 National Planning Policies

A number of areas of the National Planning Policy Framework (NPPF) are pertinent to this application. In particular, paragraph 14 states that on matters where there are no up to date development plan policies, the presumption in favour of sustainable development takes precedence. Paragraph 17 requires that new developments be of a good standard of design and secure a satisfactory standard of amenity. Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area.

5.3 Northampton Local Plan 1997 (Saved Policies)

The Local Plan (states that new developments should have an acceptable layout (Policy E20) and that houses in multiple occupation should be of a sufficient size and have a neutral impact on the character of an area (Policy H30).

5.4 Other Material Considerations

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified)

An increasing amount of weight can be given to the West Northamptonshire Joint Core Strategy (JCS), which provides an up to date policy basis as it fully considers the current Government requirements for plan making and is in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited. The examination focused upon policies that had been the subject of unresolved objections.

Policy H6 of the JCS states that existing houses should be permitted to change to houses in multiple occupation in instances where they would not adversely impact upon the character and amenity of residential areas. Housing related policies in the JCS have also been formulated following an objectively assessed housing needs assessment. Given that this policy has not been the subject of any objection, it was therefore not debated at the examination and therefore must be given some weight in the determination of this planning application.

6. CONSULTATIONS/ REPRESENTATIONS

Representation received are summarised as follows:

- 6.1 **Environmental Health (NBC)** - suggest noise conditions requesting a scheme to ensure that internal sound insulation complies with current Building Regulations and a scheme to ensure that noise and vibration from mechanical services is avoided.

6.2 **Private Sector Housing (NBC)** – the space and amenities provided indicate that the property will be suitable to let to 4 individuals.

6.3 **Semilong Community Forum** - object as follows:

- Semilong is the most densely populated neighbourhood and already over developed;
- It has the highest density of multi-occupation in the town and suffers from the subsequent strain on services and resources;
- There are properties in the area that are in multiple occupation without consent and thus not known to the Council;
- Previous applications have been refused with and without objections being raised by the Highways department and there is a need for a more uniformed approach to planning applications for this area.

6.4 **Cllr. L. Marriott** – requests that the application be determined by the Planning Committee due to the number of houses in multiple occupation within the vicinity of the site and parking problems.

7. **APPRAISAL**

Principle of Use

7.1 The site is located in an allocated residential area as defined in the Northampton Local Plan therefore a house in multiple occupation use is in keeping with the existing land uses. The building includes five existing bedrooms, a bathroom, a living room and a kitchen. Whilst four of the bedrooms have a satisfactory level of light, outlook and privacy, which ensures that a suitable level of residential amenity has been secured for the residents of the development, the basement bedroom does not provide this and is now being proposed to be used for storage only. The total number of residents is proposed to be 4 no. only. The development has not required any external alterations and as a consequence of this, the development has not resulted in any adverse impact upon the amenities of neighbouring properties in terms of light and outlook.

Policy Implications

7.2 Policy H30 of the Local Plan can be given some weight in the determination of this application due to its general conformity with the NPPF. However due to the age of the Policy it may not reflect up to date evidence of housing need. Policy H6 of the submitted JCS is up to date and therefore relevant. Whilst dated the specific requirements of Policy H30 shall be considered individually within the following sections of this appraisal.

Size of property

- 7.3 It is proposed to provide 4 separate bedrooms, one on the ground floor and three on the first floor. In addition, a shared kitchen, bathroom, toilet and communal room would be provided. The property has a rear garden with an area for refuse storage. Bedroom sizes vary from 6.6 square metres to 12.4 square metres. No objections have been received from the Council's Private Sector Housing team. As the rooms are of a suitable size and provide a satisfactory level of light, outlook and privacy, it is considered that Policy H30 has been complied with in these terms.

Over-concentration of use / Neighbour amenity

- 7.4 Recent data collected from Council records (Council Tax and Private Sector Housing) indicates that there are some 11 houses in multiple occupation within Stanley Road of approximately 98 dwellings in total. It is therefore considered that the character of the area is still dominated by family occupied houses and the introduction of a further HIMO would not adversely affect the character in this instance. Furthermore the development provides accommodation for four people and it should be recognised that this figure is no higher than the number of people that could occupy the building as a single dwelling. As a consequence of this, the development has a neutral impact on the area's character.
- 7.5 Other issues that may affect neighbouring amenity usually associated with HIMOs are accumulations of refuse on the street and disturbance due to noise and the intensified use of the site. The applicant has indicated that the property will be managed by a local letting agency and details of how the property will be managed in this regard have been submitted with the application.
- 7.6 The site has a garden to the rear which allows for an area for bin storage. This matter can be controlled via condition. Furthermore a cleaner will visit the premises on a fortnightly basis and ensure that refuse is adequately stored on non-collection days.
- 7.7 In terms of potential noise disturbance, it is considered that the proposed maximum of 4 no. occupants would not represent substantial intensification in comparison to how the property could be used as a family home. It is not considered therefore the proposed use would give rise to unacceptable noise and disturbance. A condition is recommended that would ensure that the number of residents of the property does not exceed four. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not excessive.
- 7.8 The Environmental Health Officer has recommended that planning conditions should be imposed to alleviate internal noise impact.

However, due to the proposed number of residents and the location of the bathroom, it is not considered any potential impact would be significantly more than a single dwelling and planning conditions are not considered to be reasonable and necessary in this instance.

Car Parking

- 7.9 Stanley Street has unrestricted on-street car parking opportunities. It is accepted that the proposal does not include any off street car parking however the application site is in close proximity to a variety of commercial and leisure facilities and major routes that contain access to public transport. It is therefore considered that the siting of the proposal represents sustainable development in accordance with the NPPF. Moreover, the proposed use is unlikely to result in a significant increase in demand for parking over and above the lawful use as a 3-bedroomed house. As a consequence, it is considered that the lack of off street car parking does not render the application unacceptable and there is space within the rear garden for the storage of bicycles.

Other Material Considerations

- 7.10 The JCS provides a significantly more up to date policy approach for the assessment of applications of this type and is therefore material to this application. Policy H6 of the submitted JCS states that Houses in Multiple Occupation will be permitted in instances where they would not adversely affect the character and amenity of the surrounding areas. For the reasons discussed in paragraph 7.4 of this report, the proposal complies with this policy.
- 7.11 By reason of the mix of house types within the vicinity of the application site (i.e. a number of houses occupied by single households, flats and houses in multiple occupation), it is considered that the retention of the building as a house in multiple occupation would not cause any undue detriment to the character of the surrounding area. The development provides accommodation for four people and it should be recognised that this figure is no higher than the number of people that could occupy the building as a single dwelling. As a consequence of this, the development has a neutral impact on the area's character.
- 7.12 In addition, the application site is located in close proximity to a general store and a small, allocated local centre in Semilong Road, which contains a number of facilities. The property is also within walking distance of the Racecourse and Barrack Road, which contains a larger array of retail and leisure facilities and access into the town centre. Accordingly, it is considered that the site has good access to a variety of commercial, leisure and recreation facilities and it is considered that the siting of the proposal represents sustainable development in accordance with the NPPF.

8. CONCLUSION

- 8.1 It is considered that this application is in accordance with planning policy. The property is large enough for four people; there is no over-concentration of similar uses in the area which would result in a detrimental impact upon amenity and the character of the area; the site lies in a sustainable location and the development does not create an adverse impact upon the surrounding highway system.
- 8.2 The proposed use is of a residential nature within a residential area and is compliant with the guidance contained within the National Planning Policy Framework and Policies H6 of the submitted JCS and H30 of the Northampton Local Plan and accordingly the application is recommended for approval.

9. CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Drawing No. 100 Rev A.

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 no more than four residents at any one time.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy H30 of the Northampton Local Plan.

3. 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 within one month from the date of this permission. The approved details shall be fully implemented within three months from the date of this permission and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

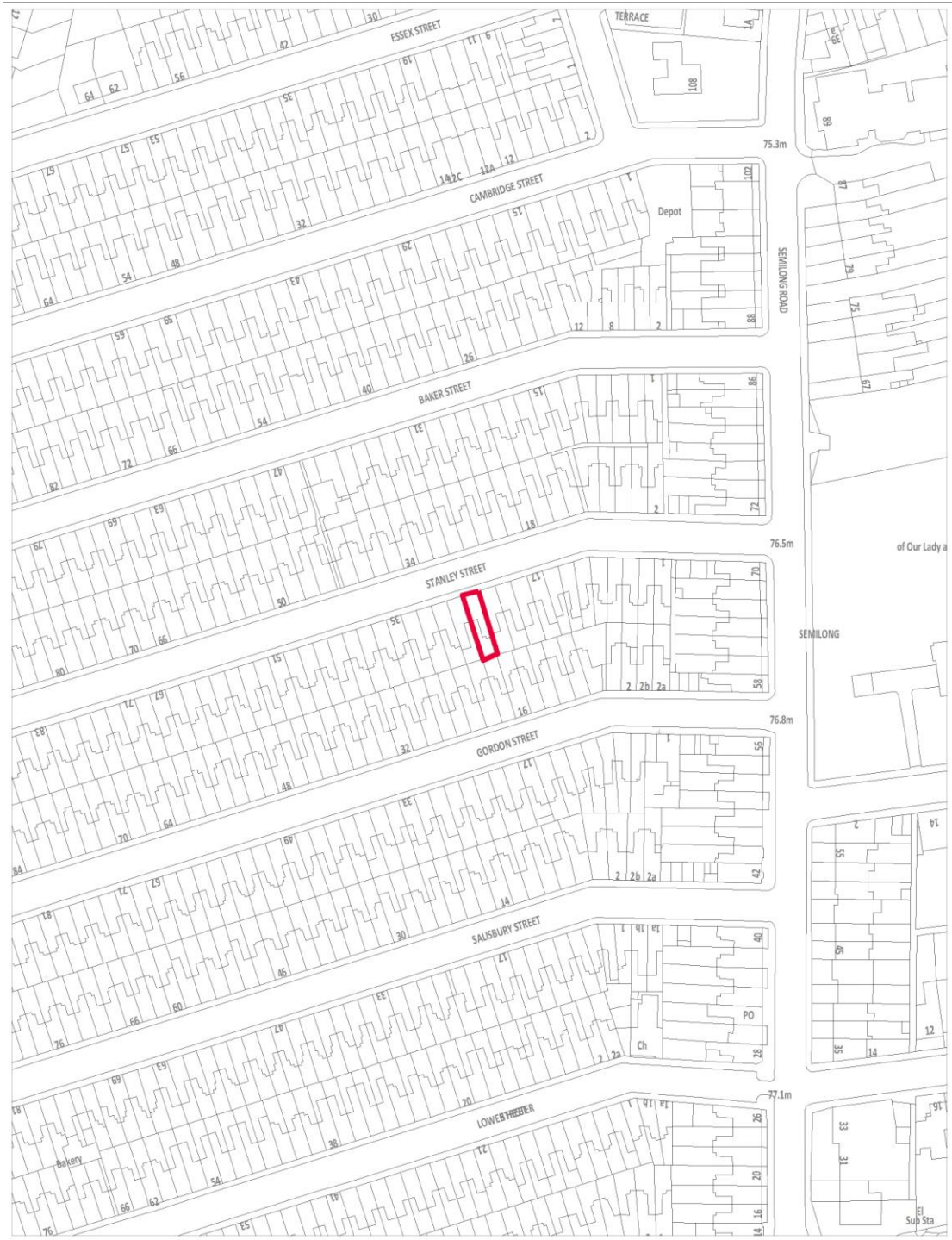
- 10.1 N/2014/0136

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: 27th May 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
25 Stanley Street

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