



PLANNING COMMITTEE: 2nd September 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0692: Change of use from dwelling (Use Class C3) into house in multiple occupation for 5 occupants (Use Class C4) at 128 Artizan Road

WARD: Castle

APPLICANT: Mr P. Lamb

REFERRED BY: Cllr. D. Stone
REASON: Over-development

DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions 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 Conservation Area, neighbour amenity and highway safety. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework and Northampton Local Plan Policies H30 and E26.

2. THE PROPOSAL

2.1 Permission is sought for a change of use of a family dwelling to 5 person house in multiple occupation (HMO). Planning permission is required as the site is within the Article 4 Direction Area. The proposed ground floor includes one bedroom, lounge/diner, kitchen and bathroom, the first floor with 3 bedrooms and one en-suite bedroom in the attic. The cellar would be used for storage only. There would not be any external changes to the building.

3. SITE DESCRIPTION

- 3.1 Terraced property along street of similar residential properties. The property is served by on street parking with no off road provision. There is a private garden to the rear. The site is located within the Boot and Shoe Conservation Area.

4. PLANNING HISTORY

- 4.1 None relevant

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 Policy Framework

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). Developments should also preserve or enhance the character of conservation areas (Policy E26).

5.4 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.

5.5 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

6.1 **Conservation (NBC)** – No objections

6.2 **Highway Authority (NCC)** - Concern regarding parking provision with cars already parked along both sides of street and number of expected additional cars to be generated.

6.3 **Private Sector Housing (NBC)** – No objections provided that second floor bedroom is served by en-suite as shown on the drawings.

6.4 **Cllr. D Stone** – Request that the application is determined by the Planning Committee on the grounds that the proposal represents over-development.

7. APPRAISAL

Principle of the use

7.1 The site is located in a primarily residential area as defined in the Northampton Local Plan therefore a house in multiple occupation use is in keeping with the existing land uses.

7.2 From recent data collected, it is evident that there are other HMOs on the same road. However these represent a small proportion of the properties (there are over 100 properties along Artizan Road, out of which combined with Planning, Private Sector Housing and Council Tax records indicate that around 15 are in HIMO use). It is not considered that the character of this street would be substantially affected due to overconcentration of such a use.

Policy Implications

7.3 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 Policy H30 is dated, it is considered that as the rooms are of a suitable size and have a satisfactory level of light, outlook and privacy, this policy has been complied with.

Impact on character and amenity of area

- 7.4 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 use of the building as a house in multiple occupation would not cause any undue detriment to the character of the surrounding area. Whilst the development provides accommodation for five people, it should be recognised that this figure is not substantially higher than the number of people that could occupy the building as a single dwelling due to its current size. As a consequence of this, the development has a neutral impact on the area's character. The contention that the proposal would result in over-development is not an opinion shared by Officers given that the property appears large enough to satisfactorily accommodate the use and provide a reasonable size garden to the rear

General Amenity and Parking

- 7.5 In order to ensure that the development does not pose an undue detrimental impact upon the occupiers of neighbouring properties as a result of increased noise and disturbance and to provide certainty as to the impacts arising from the development, a condition is recommended that would ensure that the number of residents of the property does not exceed five. Given the size of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not excessive.
- 7.6 In order to ensure a satisfactory standard of development, details of refuse are to be secured by condition. It is accepted that the proposal does not include any off street car parking and the comments of the Highway Authority are noted; however, the application site is in close proximity to a variety of services and shops on the Wellingborough Road. As a consequence, it is considered that the lack of off street car parking does not render the application unacceptable.

Impact on appearance and character of the Conservation Area

- 7.7 As there would be no external changes proposed, it is considered that the effect on appearance and character of the Conservation Area would be minimal.

8. CONCLUSION

- 8.1 For the reasons cited the proposal is considered to be acceptable and complies with development plan and national planning policy. It is therefore being recommended for approval subject to the conditions 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) Details for the provision of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development to comply with the NPPF.

- (3) The maximum number of occupiers shall not exceed 5 at any time.

Reason: To prevent over-development to accord with the NPPF and Policy H30 of the Northampton Local Plan.

- (4) The development hereby permitted shall be implemented fully in accordance with the approved plans 28-14-01 and 02.

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

10. BACKGROUND PAPERS

- 10.1 N/2014/0692.

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: Location Plan
 Date: 13th August 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
128 Artizan Road

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