

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

N/2014/0841: Change of use from dwelling (Use Class C3) into a house in multiple occupation (Use Class C4) for up to four residents (retrospective application) at 131 St Andrews Road

WARD: Semilong

APPLICANT: Mrs J. Wagstaff

REFERRED BY: Cllr. L. Marriott
REASON: There is an over concentration of such uses within the area and there is little access to public transport with limited car parking in the area.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development has a neutral impact upon the character and appearance of local area and, subject to conditions, does not adversely affect neighbour amenity or highway safety. The development is therefore in conformity with the National Planning Policy Framework and Policies E20 and H30 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks permission to retain the use of the property as a house in multiple occupation (hereafter referred to as a HMO) for a maximum of four people. The site falls within an area covered by an Article 4 direction, which means that any such developments require

planning permission. No external alterations have been required as a result of this change.

3. SITE DESCRIPTION

3.1 The application site consists of mid terraced, two storey property located within a primarily residential area. The building was used as a single dwelling until February 2014 when the use of the building changed – without the benefit of planning permission – to a HMO. The character of the surrounding area is defined by the presence of similar dwellings, the bulk of which are occupied by single households.

3.2 St Andrews Road is in close proximity to Kingsthorpe Road, which serves as one the main routes into the town centre and the centre at Kingsthorpe. In addition, there are a number of small convenience stores, employment uses and some public open space within the vicinity of the application site.

4. PLANNING HISTORY

4.1 None.

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).

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 **Private Sector Housing (NBC)** – No objections as the building is of sufficient size to accommodate four residents and has suitable amenity space.
- 6.2 **Cllr. L. Marriott** – Objecting on the grounds that the number of HMOs within the vicinity has had a detrimental impact upon the character of the area. As a school is proposed on the former Barrack Road Sorting Office site, there is a need to retain family housing within the vicinity. There is no public transport within easy walking distance and car parking within the area is already very limited.
- 6.2 At the time of preparing this Committee report, the period for consultation had yet to conclude. Therefore any further responses will be reported to the Committee by means of an addendum, which will be circulated prior to the meeting commencing.

7. APPRAISAL

Principle of the use

- 7.1 The development would result in the loss of dwelling that could be used for family accommodation; however, Council records indicate that of the 142 properties within this street, 15 are in use as HMOs. As a consequence of this, the development would have a neutral impact upon the character of the application site's environs. In addition to this point, the building would be occupied by up to four people only, which can be secured by a condition. This level of occupation is directly comparable to the likely number of residents that could occupy a dwelling of these proportions as a single household. A condition is

recommended that would secure the provision of refuse storage within a reasonable time frame.

Planning policy implications

- 7.2 The submitted JCS provides an up to date policy approach for the assessment of applications of this type and is therefore material to this application. As discussed in paragraph 5.5, 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 the preceding paragraph, it is considered that this objective has been complied with.

Highway impacts

- 7.3 It is noted that car parking within the vicinity of the application site is somewhat limited, with parking restrictions also being present within this section of St Andrews Road. However, the application site is sustainably located given that it is in close proximity to a number of facilities, employment uses and public transport routes. In addition, as the number of residents is consistent with the numbers of residents that would be present if the building were to be occupied as a single dwelling house, it is likely that the level of vehicle movements would be consistent between the two uses and therefore the overall impact upon highway safety would be neutral.

Impact on neighbouring properties

- 7.4 No external changes are proposed, which therefore ensures that the development has a neutral impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy. As there would be consistency in terms of residents between the building being use as single dwelling and a HMO it is likely that there would be no additional noise or disturbance created.
- 7.5 The internals of the building have been assessed by the Council's Private Sector Housing section, which has confirmed that the proportions of the building are satisfactory to accommodate four residents. As a result of this, a suitable level of residential amenity would be secured for the occupiers of the development.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the use of this property as a HMO for a maximum of four people has a neutral impact upon the character of the surrounding area and does not adversely impact upon the amenities of surrounding properties or highway safety. As a consequence; the development, subject to conditions is acceptable.

9. CONDITIONS

1. The development hereby permitted shall be occupied by a maximum of four residents.

Reason: In the interests of residential amenity and to accord with the requirements of the National Planning Policy Framework.

2. 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 and the approved details 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 1 of the Central Area Action Plan.

10. BACKGROUND PAPERS

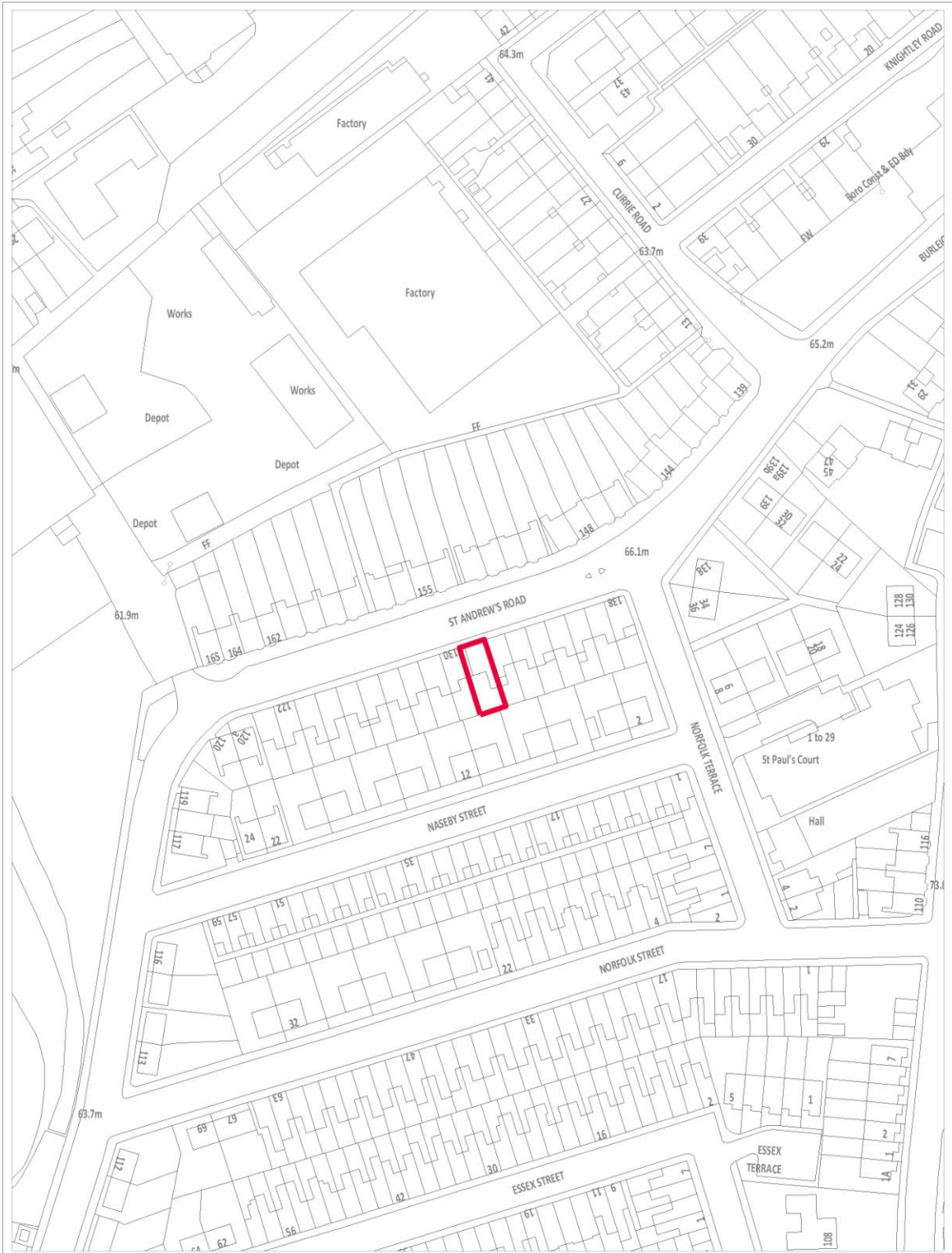
- 10.1 N/2014/0841

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: **14th August 2014**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title
131 St Andrews Road

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655