



PLANNING COMMITTEE: 24th March 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0127: Change of use from dwelling (Use Class C3) to 6-bedroom house in multiple occupation (Use Class C4) at 66 Charles Street

WARD: Castle

APPLICANT: Mr Ricky Darlow
AGENT: N/A

REFERRED BY: Councillor Danielle Stone
REASON: Over concentration of HIMOs and impact on amenity and parking

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal would contribute towards the level of housing provision within the Borough and would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact on the character and appearance of the property, the streetscene or Boot and Shoe Quarter Conservation Area, nor would the proposal have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed by condition and is in accordance with the requirements of Policies H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the 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 proposes the conversion of a 4-bedroom dwelling to a 6-bedroom house in multiple occupation (HIMO). The proposal comprises of internal alterations and the conversion of the existing garage to a bedroom with the

existing garage door replaced with a window and replacement frosted window to the rear.

- 2.2 The scheme has been amended to improve the internal layout providing a communal kitchen/diner on the ground floor and providing internal access to the converted garage room.

3. SITE DESCRIPTION

- 3.1 The property is an end-terraced property with an attached garage to the rear and is located on the corner of Charles Street and Cranstoun Street on the edge of the Central Area and within the Boot and Shoe Quarter Conservation Area. The surrounding area is predominantly residential in character and subject to a non-immediate Article 4 Direction area removing permitted development rights for conversion to HIMOs.

4. PLANNING HISTORY

- 4.1 N/2014/1231 – Change of use of property from dwelling (Use Class C3) to 7-bed HIMO (sui generis). Withdrawn 13.01.15.

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 Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the 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:

Paragraphs 17 & 56 – new development should be of a good standard of design and secure a satisfactory standard of amenity.

Paragraph 50 – seeks to deliver a wide choice of high quality homes to create sustainable and mixed communities.

Paragraph 126 – recognises the importance of importance of conserving and enhancing the significance of heritage assets.

Paragraph 131 – advises on the importance of sustaining or enhancing significance of heritage assets.

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 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 character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy E26 – development should preserve or enhance character and appearance 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 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs should:

- Result in 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 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 adequate refuse provision and storage.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 NBC Private Sector Housing – no objections to amended scheme.

6.2 NBC Conservation – no objections subject to materials matching existing.

- 6.3 **NCC Highways** – the LPA should satisfy itself that the change of use would not result in unacceptable amenity impacts parking on local residents. Recommend the applicant undertakes the reinstatement of the crossing to a level footway to the pavement fronting the existing garage and funds an appropriate traffic regulation order to remove the double yellow lines fronting the garage.
- 6.4 **Councillor D Stone** – objects. The area is saturated with HIMOs and the risk in terms of pressure on services is great. The Borough is already finding it difficult to keep on top of fly tipping, littering and anti-social behaviour. Parking in the street and surrounding area is a nightmare. Called in the application for decision by the Planning Committee.
- 6.5 The consultation period has not expired at the time of writing this report. Any additional comments received will be reported to committee in the Addendum to this agenda.

7. APPRAISAL

Principle

- 7.1 The conversion of the existing dwelling to an HIMO is in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 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 residential in character. Records indicate that there is not a significant concentration of HIMOs within the locality. Private Sector Housing records including details obtained through door knocking surveys carried out this year indicate that there are two confirmed HIMOs (one next door at No. 68), three suspected HIMOs and one unlicensed HIMO within a 50m radius of the application property. This represents 11% of the total number of properties within a 50m radius, below the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. The proposal could be conditioned to restrict the use of the premises to a maximum of 6 occupants the impact of which would not be significantly different to that of a family home. It is therefore considered that the proposal would not lead to an over-concentration of HIMOs within the locality and that there would not be a significant impact on the character and amenity of the area.

Impact on Conservation Area

- 7.3 The only external alterations proposed are the replacement of the existing garage door facing onto Cranstoun Street with a window, the replacement of a small existing window with obscure glazing to the rear of the garage and the re-roofing of the garage roof with felt. The proposed alterations are considered to have a neutral impact on the character and appearance of the existing dwelling and the Conservation Area and are considered acceptable.

Amenity

- 7.4 Policy H30, 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 application has been amended to provide sufficient communal living space and room sizes that comply with the requirements of the Council's 'Facilities and Amenities' guidance for

HIMOs. The property is considered to be of sufficient size for the proposed use and a condition restricting the use to a maximum of 6 people would ensure the level of communal and bathroom/toilet facilities proposed is suitable.

- 7.5 Refuse storage is proposed in the rear yard which is of sufficient size to accommodate a suitable level of storage for the amount of accommodation proposed.

Highway Impacts

- 7.6 Parking within the vicinity of the site is on-street and restricted by permit parking and controlled parking hours between the hours of 8am–6pm. The footway comprising of the existing dropped kerb to the front of the garage could be required to be re-instated by condition. The proposal by the Highway Authority to remove the double yellow lines would require a Traffic Regulation Order which would fall under separate legislation other than planning and as such could not be required by planning condition. An informative to this effect is therefore suggested.

- 7.7 Whilst the proposal would result in the loss of a garage space the site is in a sustainable location within close proximity to the town centre and public transport facilities. Cycle provision is proposed on site and the type of accommodation proposed is not generally associated with high levels of car ownership. The level of accommodation proposed is unlikely to lead to any significant increased impact on existing parking conditions to that of a family dwelling and therefore it is not considered that sufficient harm to existing parking conditions could be demonstrated.

8. CONCLUSION

- 8.1 It is considered that the proposal would contribute towards the level of housing provision within the Borough and would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact on the character or amenity of the conservation area or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed by condition and is in accordance with policy and guidance requirements and therefore the application is 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) Notwithstanding the submitted details the property shall be occupied by no more than 6 persons.

Reason: In the interests of the amenity of the surrounding area in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

- (3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, drawing no. P40-101-A rev A & 102.

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

- (4) The cycle and bin storage areas shall be provided in accordance with the details shown on drawing no. P40-101-A rev A prior to the first use of the property hereby permitted and shall be maintained throughout the life of the development.

Reason: In the interests of the amenity of the surrounding area in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

- (5) The footway to the front of the garage shall be re-instated to the satisfaction of the Highway Authority prior to the first use of the property hereby permitted and retained thereafter.

Reason: In the interests of the amenity of the surrounding area in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

- (6) The window in the proposed east facing elevation to the rear of the existing garage shall be obscure glazed prior to the first use of the property hereby permitted and maintained in perpetuity.

Reason: In the interests of the amenity of the adjacent property in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

Informative:

The applicant shall contact the Local Highway Authority to arrange for the double yellow line in front of the existing garage to be removed.

10. BACKGROUND PAPERS

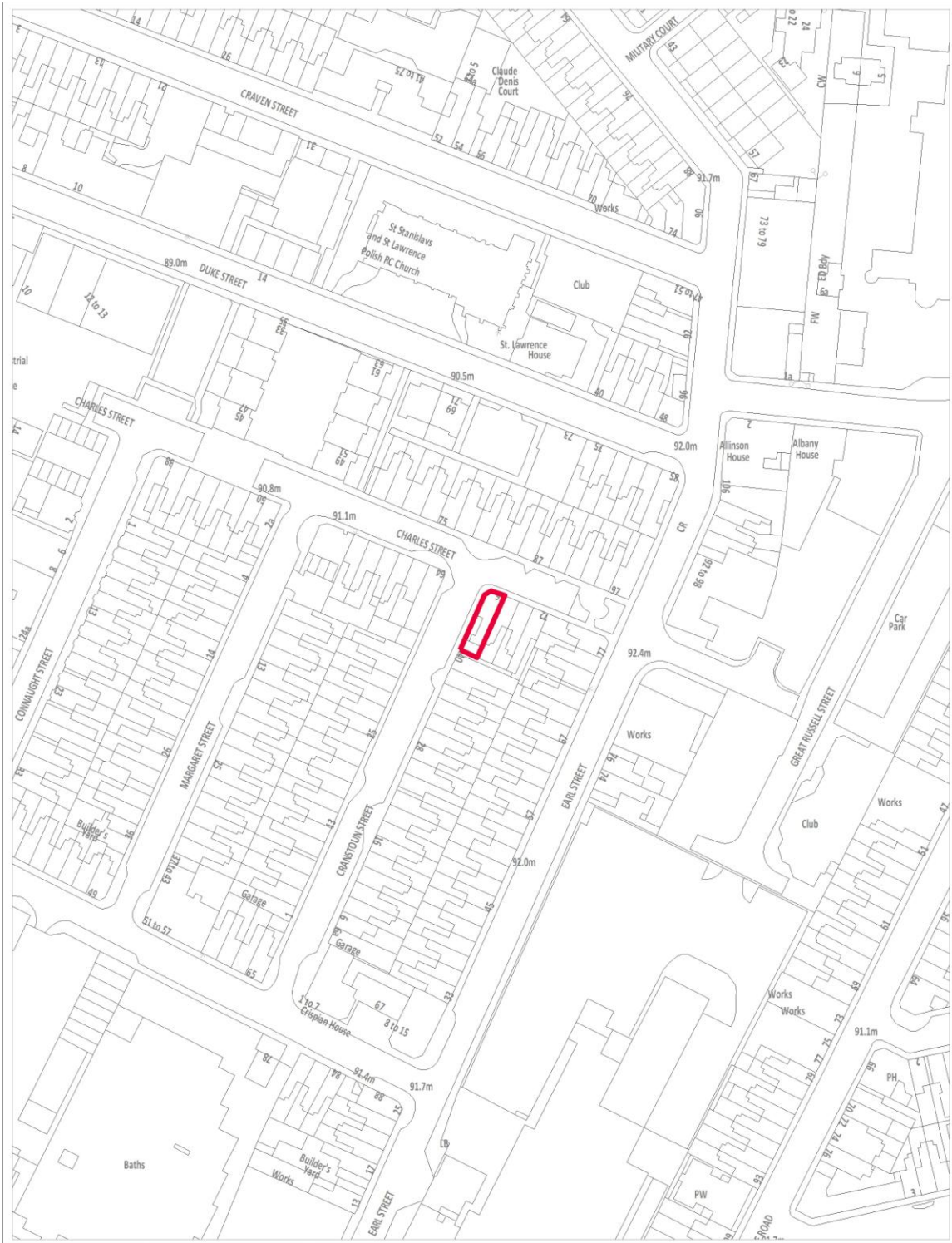
- 10.1 N/2015/0127.

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 February 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
66 Charles Street

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