



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

N/2015/0183: Change of use from residential (Use Class C3) to 5 bed house in multiple occupation (Use class C4) at 45 St Michaels Road

WARD: Castle

APPLICANT: Mr Thomas Cheatley
AGENT: N/A

REFERRED BY: Cllr D Stone
REASON: Too many HIMOs and pressure on services

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would provide accommodation of a suitable standard and would not have any significant impacts on the character and appearance of the host property, the streetscene or the Boot and Shoe Conservation Area, nor would the proposal have any significant impacts on neighbour amenity or highway safety. The development is therefore considered to be in accordance with Policies H5 and S10 of the Adopted 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 requirements of the National Planning Policy Framework.

- 1.2 As the consultation period has not expired at the time this report is prepared, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raised in comments received not dealt with in the report.

2. THE PROPOSAL

- 2.1 Planning permission is sought for the change of use from residential (Use Class C3) to 5 bed House in Multiple Occupation (Use Class C4). No external alterations are proposed to the property.

3. SITE DESCRIPTION

- 3.1 The application site constitutes a two storey, terraced dwelling house located in the Boot and Shoe Quarter Conservation Area. The application site is situated opposite the operational Tricker shoe factory; otherwise St Michaels Road is predominantly a residential area.
- 3.2 The property would contain a shared lounge on the ground floor, there would be two bedrooms, a shared kitchen, utility room and bathroom on the ground floor and on the first floor there would be three bedrooms and a shared bathroom. Externally the property has a rear garden. The property is currently undergoing refurbishment throughout.

4. PLANNING HISTORY

- 4.1 There has been no recent relevant planning history.

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), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013).

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:

Paragraph 17: Seeks to secure a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 47: To boost significantly the supply of housing Local Planning Authorities should use their evidence base to ensure that their Local Plan meets housing need.

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

Paragraph 56: Good design is a key aspect of sustainable development and is indivisible from good planning.

Paragraph 131: Sets out the importance of sustaining and enhancing 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 (Managing the Existing Housing Stock): the policy states that the existing housing stock will be managed and safeguarded by:

- Restricting the loss of existing dwellings to other uses.
- Securing the re-use of empty dwellings for residential use.
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

Policy S10 (Sustainable Development Principles) 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): The policy seeks to secure development which has an acceptable layout.

Policy E26 (Conservation Areas) seeks to protect and enhance the historic and architectural merit of the towns Conservation Areas.

Policy H30 (Multi occupation within a single dwelling): Houses in multiple occupation will be supported subject to the property being of a sufficient size, the development not being detrimental to the character of the area to the detriment of neighbouring residents, in addition the proposal should not create substantial demand for on street parking in areas judged to be experiencing difficulties in this respect.

5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Houses in Multiple Occupation – IPSS November 2014 – provides principles for determining applications for HIMOs

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Councillor D Stone:** there are too many HIMOs in the area and that the development would put pressure on the neighbourhood and all the services. Called in the application to be determined by the Planning Committee.

- 6.2 **NBC Conservation:** The application is for a change of use from a single dwelling to a HIMO for 5 people. It is considered that the residential nature will not adversely affect the character of the Conservation Area.

As there are to be no external alterations to the property, it is considered that there will be no undue impacts upon the appearance of the Conservation Area.

- 6.3 **NBC Public Protection:** No objections subject to the standard refuse conditions being applied to any planning permission for the proposal.

- 6.4 **NBC Private Sector Housing:** No objection.

- 6.5 **NCC Highways:** Whilst it is appreciated that the proposed development is in a town centre location, there are general concerns with regards to the redevelopment of the dwelling to a HIMO with no associated parking. As such in order to maximise the potential for sustainable trip making to and from the site it would be expected that suitable measures, proportionate to the small scale of development proposed be undertaken, to enable and assist residents to undertake sustainable journeys. The suggested measures are:

- Provision of five cycle parking spaces, allowing one per occupant.
- That the occupants are provided with a public transport pass upon first occupation.

- 6.6 The application was advertised by site notice, press notice and neighbour letters. The consultation period does not expire until 2nd of April. Any comments received prior to the Committee meeting shall be updated to Members via the addendum.

7. APPRAISAL

Principle of the Development

- 7.1 In terms of national planning policy, the NPPF is a material consideration in determining planning applications. Running throughout the NPPF is a 'golden thread' setting out a presumption in favour of sustainable development. The NPPF seeks to promote sustainable development by directing new development to those areas best able to support it in terms of access to facilities and services and offering good public transport links.
- 7.2 The application site is located adjacent to the town centre boundary, within walking distance of the town centres services and facilities. The site is within approximately 320 metres of a bus stop providing a number of frequent bus services. In addition the property is within easy access of the town's bus station and train station offering access to the wider public transport network.
- 7.3 Policy H5 of the JCS supports Houses in Multiple Occupation provided they do not adversely affect the character and amenity of existing residential areas. Council records indicate that there are some 5 licensed Houses in Multiple Occupation in this area which are well spaced out. In addition a number of properties in the area have been subdivided into apartments. It is considered that the character of the area currently comprises a sustainable, mixed community, offering varying types of accommodation including houses in multiple occupation. This proposal would further contribute to the housing offer in the area, serving those seeking single room accommodation. It is considered that

the character of St Michaels Road would not be so over concentrated with HiMO as to warrant the refusal of this application.

- 7.4 Policy H30 of the Northampton 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. The policy supports HiMO provided the property is of a sufficient size, the development is not detrimental to the character of the area to the detriment of neighbouring residents and the development would not create substantial demand for on street parking in areas judged to be experiencing difficulties in this respect.
- 7.5 It is considered that the proposal would provide adequately sized accommodation which conforms to the space standards set out in the Houses in Multiple Occupation: Adopted Interim Planning Policy Statement. It is also considered that the development would not adversely impact on the character and amenity of the surrounding area. Highway issues are discussed in detail below, however it must be noted that while the Local Highways Authority have some general concerns regarding parking in the area, they have not objected to the application. The proposal therefore accords with Policy H30 of the Northampton Local Plan.
- 7.6 The Interim Planning Policy Statement sets out 4 principles for determining HiMO applications as follows:
1. To create, support and maintain a balanced, mixed and inclusive community and to protect the neighbourhood and streetscene character.
 2. To secure the provision of adequate facilities and amenities and minimise flood risk.
 3. To promote the use of public transport, cycling and walking and to secure the provision of adequate parking.
 4. To ensure adequate refuse provision and storage.

It is considered that the proposal would contribute to providing a balanced, mixed and inclusive community, which would not be detrimental to the neighbourhood or the streetscene character in conformity with Principle 1 and Paragraph 50 of the NPPF. It is considered that Principle 2 has been complied with. Private Sector Housing have not objected to the application; the applicant has been working with the Private Sector Housing Section to make the necessary alterations to the property to support an application for a HiMO licence. Principles 3 and 4 are discussed in detail below.

Visual amenity and impact on historic heritage

- 7.7 The application site is located within the Boot and Shoe Quarter Conservation Area; therefore the impact of the development on the historic and architectural merit of the building, the Conservation Area and the surrounding area is a key material consideration in the determination of this application. The NPPF supports putting heritage assets to viable uses consistent with their conservation. The application is for a change of use from a single dwelling to a HiMO for 5 people. NBC Conservation consider that the residential nature of the proposal will not adversely affect the character of the Conservation Area.
- 7.8 As there are to be no external alterations to the property, it is considered that there will be no undue impacts upon the visual amenity of the site or the

Conservation Area in accordance with Policy E26 of the Northampton Local Plan and Policy BN5 of the JCS and the NPPF.

Neighbour Amenity

- 7.9 Issues that may affect neighbour amenity usually associated with HIMO include problems with refuse storage, noise and disturbance related to the intensified use of the site.
- 7.10 The application has not included detailed information in regards to refuse collection, it is therefore recommended to attach a condition to any planning permission for the development requiring the submission of further details relating to refuse collection.
- 7.11 In terms of potential noise disturbance, it is considered that the proposed maximum number of 5 occupants would not represent a substantial intensification of the dwelling house in comparison to how the property could be used as a family home. Environmental Health have not raised any concerns in relation to noise problems arising as a result of the development. A condition is recommended that would ensure that the number of residents occupying the property does not exceed five. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, five occupants is considered to be an acceptable level of occupancy.
- 7.12 No external alterations are proposed to the property, it is therefore considered that the dwellings relationship with neighbouring properties in terms of light, outlook and privacy would not be altered.

Highways

- 7.13 The Local Highways Authority have stated that they appreciate, that the proposed development is in a town centre location, however they do have general concerns regarding the HIMO as it has no associated parking but do not object to the application. In order to maximise sustainable trip making to and from the site the Local Highways Authority have recommended measures to assist residents undertake sustainable journeys including cycle parking and a four week bus pass to all residents upon first occupation.
- 7.14 There is no evidence to suggest that giving a four week bus pass on initial occupation to each occupant would bring about a modal shift in an individual's regular mode of travel. Cycle parking could be accommodated within the rear garden area. Parking within St Michaels Road is regulated to permit holders only between 8am and 10pm. It is considered that the lack of parking would in any event assist to limit the use of private cars. It must also be noted that the Local Highways Authority does not object to the proposal on this basis.
- 7.15 The property is considered to be located within a sustainable location, within walking distance of the town centre and public transport links. It is therefore considered that the development would not have significant adverse impacts on the local highway network.

8. CONCLUSION

- 8.1 It is considered that the proposal is in accordance with planning policy. The property is of a suitable size to accommodate five occupants; there is no over-

concentration of similar uses in the area which would result in a detrimental impact upon the character and amenity of the area. The site lies in a sustainable location and the development would not create any significant adverse impacts on the surrounding highway network.

8.2 The proposed use is of a residential nature within a residential area and would contribute to the mix of housing in the area. It is compliant with the guidance contained within the NPPF and Policies H5 and S10 of the JCS, Policies E20, E26 and H30 of the Northampton Local Plan and advice contained within the Interim Planning Policy Statement, Houses in Multiple Occupation. The application is therefore recommended for approval.

8.3 As the consultation period will not expire until the 2nd of April, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raised in comments received not dealt with in the report.

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) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; ground floor plan; lower ground floor plan; first floor plan.

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

(3) Prior to the commencement of the development hereby approved, details for the provision of storage and collection for refuse and recycling materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development coming into use and shall be retained thereafter for the lifetime of the development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H30 of the Northampton Local Plan.

(4) The maximum number of occupants 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.

10. BACKGROUND PAPERS

10.1 N/2015/0183

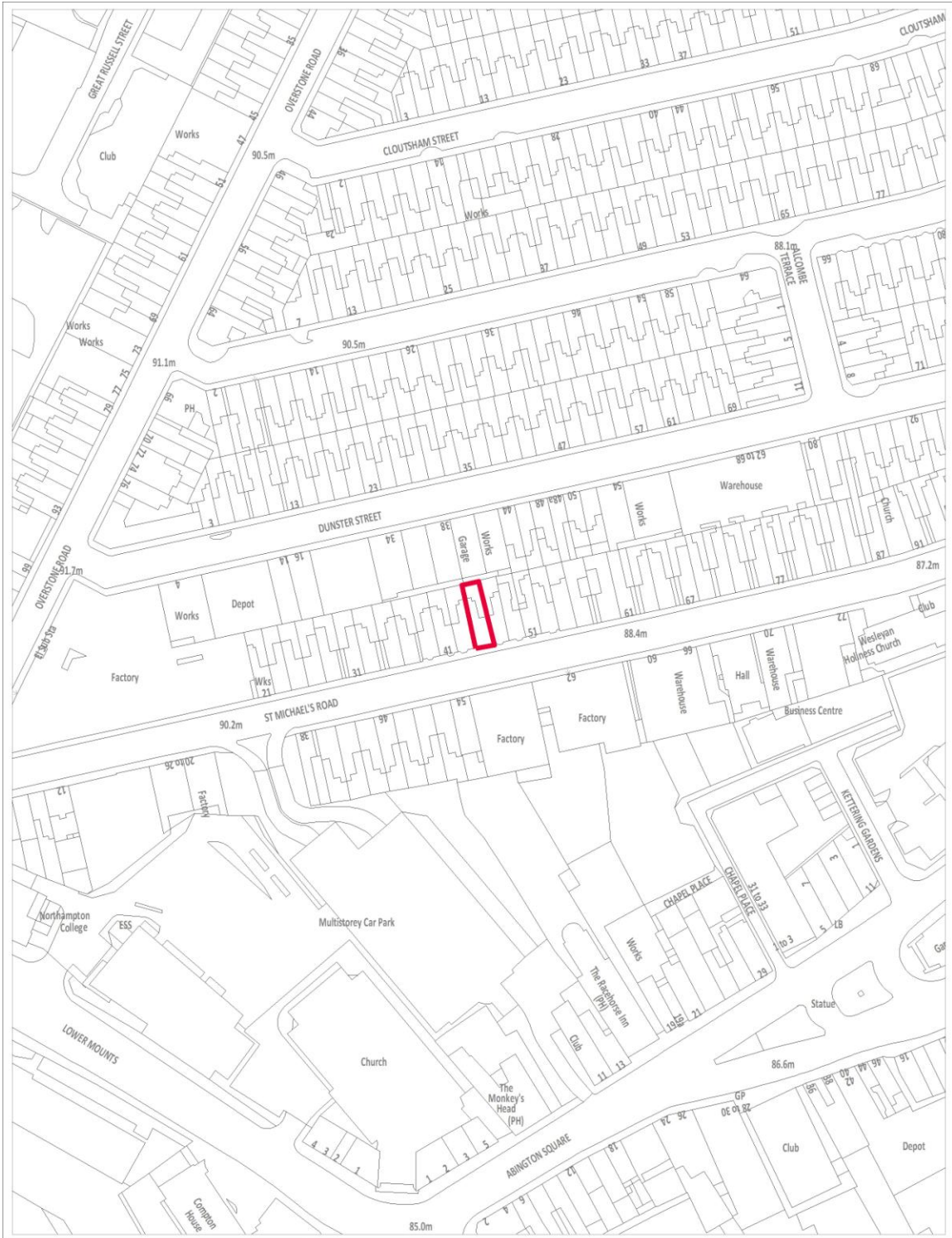
11. LEGAL IMPLICATIONS

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: **Site Location Plan**
 Date: **2nd March 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
45 St Michaels Road

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