



**PLANNING COMMITTEE:** 28<sup>th</sup> July 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/0554:** Change of use from existing dwelling (Use Class C3) to house in multiple occupation for 4 residents (Use Class C4) at 83 Overstone Road

**WARD:** Castle

**APPLICANT:** Mr R Jackson  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor D. Stone  
**REASON:** Overdevelopment with proliferation of HIMOs in the area leading to parking problems and anti-social behaviour

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

#### **1. RECOMMENDATION**

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

The proposed development would not lead to an unacceptable concentration of HIMOs within the locality and would provide accommodation of a suitable standard. It would not have any significant impacts on the character and appearance of the host property, the streetscene or the 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 H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan, Policy 16 of the Central Area Action Plan and 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 Planning permission is sought for the change of use of an existing dwelling (Use Class C3) into house in multiple occupation (HIMO) for four persons (Use Class C4). No external alteration is proposed.

- 2.2 The site lies within a Non Immediate Article 4 Direction area which removes permitted development rights for change of use to a HIMO.

### **3. SITE DESCRIPTION**

- 3.1 The application site constitutes a traditional two storey terraced dwelling house located in the Boot and Shoe Quarter Conservation Area. The dwelling is an attractive property predominantly retaining original architectural detailing. Overstone Road is primarily a residential area.
- 3.2 The property would contain one bedroom and a shared lounge, kitchen and bathroom on the ground floor. There would be three bedrooms at first floor. The basement would be utilised for storage. Externally the property has a communal rear garden.

### **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, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

#### **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 49 - Housing applications considered with presumption in favour of sustainable development.

Paragraph 50 - Seeks to deliver a wide choice of high quality homes to create sustainable and mixed communities, should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 56 - Good design is a key aspect of sustainable development.

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 H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the Existing Housing Stock - The policy seeks to manage and safeguard existing housing stock, including through HIMO's where they would not adversely impact upon the character and amenity of 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.

Policy BN5 - The Historic Environment and Landscape - Designated heritage assets and their settings will be conserved and enhanced in recognition of their individual and cumulative significance.

### **5.4 Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 16 – Central Area Living – Supports residential development within the central area comprising a mix of dwelling types, sizes and tenures, including affordable housing.

### **5.5 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 policy is material to this application:

Policy H30 - 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  
Planning out Crime in Northamptonshire SPG 2004

## 5.7 Other Material Considerations

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

Proposals for HIMOs should:

- Result in a 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 a 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 provision of adequate storage for refuse and materials for recycling.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development within a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillors D Stone:** Strongly objects on the grounds of overdevelopment; this is an area with a density of HIMOs and the pressure on the community is overwhelming; leading to parking problems and anti-social behaviour.
- 6.2 **Private Sector Housing:** No objections raised.
- 6.3 **Highway Authority:** As the proposed site falls within an area currently covered by on street permit parking the level of parking can be controlled via the issue of on-street residents parking permits. In line with the Northamptonshire County Council operational policy for the management of controlled parking zones and permit parking areas, no additional parking permits would be issued to this property following any change of use in order to limit the impacts on the parking amenity of neighbouring properties.
- 6.4 The development has been advertised by way of press notice, site notice and neighbour letters, no representations have been received.
- 6.5 The applicant has submitted a statement in support of their proposal making the following comments:
- Aware of the wide spread concern regarding the impacts of poor quality, unregulated HIMOs on an area.
  - Impressed with the lead NBC is taking to license and regulate its HIMOs.

- All will be done to make sure that the purchase of 83 Overstone Road meets the HIMO guidelines and standards set by the Council.
- Have sought advice from Council Officers, whom have found the proposal to meet the required standards and policies.
- Happy to adhere to no increase in parking permits.
- Will ensure that the tenants respect the community.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 The NPPF is a material consideration in determining planning applications. It 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 within walking distance of the town centre services and facilities. In addition the property is within easy access of the town's main bus and train stations.
- 7.3 The surrounding area is residential in character. Private Sector Housing records including details obtained through door knocking surveys carried out this year indicate that there are three confirmed HIMOs within a 50m radius of the application site. Records indicate that the application site is included as one of the three HIMOs, although change of use has not taken place. It is therefore considered that there are currently 10.7% of properties within this 50m radius in use as HIMO. The Council's Interim Policy states that applications for HIMOs should not result in more than 15% of the total number of HIMO dwellings within a 50m radius of an application site, in order to prevent over concentration of similar uses in one locality. It is considered that the proposal meets the policy requirements contained within the adopted Planning Policy Statement.
- 7.4 Policy H5 of the JCS supports HIMOs provided they do not adversely affect the character and amenity of existing residential areas. As Council records indicate that there are three licensed HIMOs in this area, it is not considered that Overstone Road has an over concentration of HIMO to warrant a refusal of the application. In addition Policy 16 of the Central Area Action Plan (CAAP) supports residential development in the Central Area.
- 7.5 Policy H30 of the Northampton Local Plan 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 not creating substantial demand for on street parking in areas judged to be experiencing difficulties in this respect.
- 7.6 It is considered that the proposal would provide adequately sized accommodation as confirmed by Private Sector Housing. It is also considered that the development would not adversely impact on the character and amenity of the surrounding area.

### **Impact on Conservation Area**

- 7.7 The application site is located within the Boot and Shoe Quarter Conservation Area. As there are to be no external alterations to the property, it is considered that there would be no undue impacts upon the visual amenity of the site or the Conservation Area.

### **Amenity and Refuse Storage**

- 7.8 Issues that may affect neighbouring amenity usually associated with HMOs are refuse storage and disturbance due to the intensified use of the site.
- 7.9 In terms of potential noise disturbance, it is not considered that the proposed maximum of 4 no. occupants would represent substantial intensification in comparison to how the property could be used as a family home. A condition is recommended that would ensure that the number of residents occupying the property does not exceed 4. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not considered to be excessive.
- 7.10 There is garden area to the rear of the property that could accommodate refuse storage. The submission of details of refuse storage shall be a condition of any approval of planning permission for the development.

### **Parking**

- 7.11 As the proposed site falls within an area currently covered by on-street permit parking the level of parking can be controlled via the issue of on-street residents parking permits. In line with the Northamptonshire County Council operational policy for the management of controlled parking zones and permit parking areas, no additional parking permits would be issued to this property following any change of use in order to limit the impacts on the parking amenity of neighbouring properties.
- 7.12 The property is located approximately 200m from the nearest bus stop, which provides access to a number of frequent services. In view of this it is considered that the proposal complies with the Houses in Multiple Occupation Interim Planning Policy Statement and the lack of off street car parking does not render the application unacceptable.
- 7.13 A condition is recommended to require details of cycle storage to be provided to serve the development.

## **8. CONCLUSION**

- 8.1 It is considered that the proposal would not be detrimental to the character of the conservation area or the amenities of adjoining occupiers and would not result in significant parking problems. In addition adequate refuse storage could be provided. The proposal is in line with Development Plan Policies and is therefore 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) The development hereby permitted shall be carried out in accordance with the following approved plan: 15/J50/2.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

- (3) The development hereby permitted shall be occupied by no more than four persons at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

- (4) Prior to the commencement of 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 S10 of the West Northamptonshire Joint Core Strategy. The condition is a pre-commencement condition to ensure that appropriate standards of amenity and refuse storage can be provided for the development.

- (5) Prior to the commencement of development hereby approved, details of facilities for the secure and covered parking of bicycles 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: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. The condition is a pre-commencement condition to ensure that appropriate cycle storage facilities can be provided for the development.

## **10. BACKGROUND PAPERS**

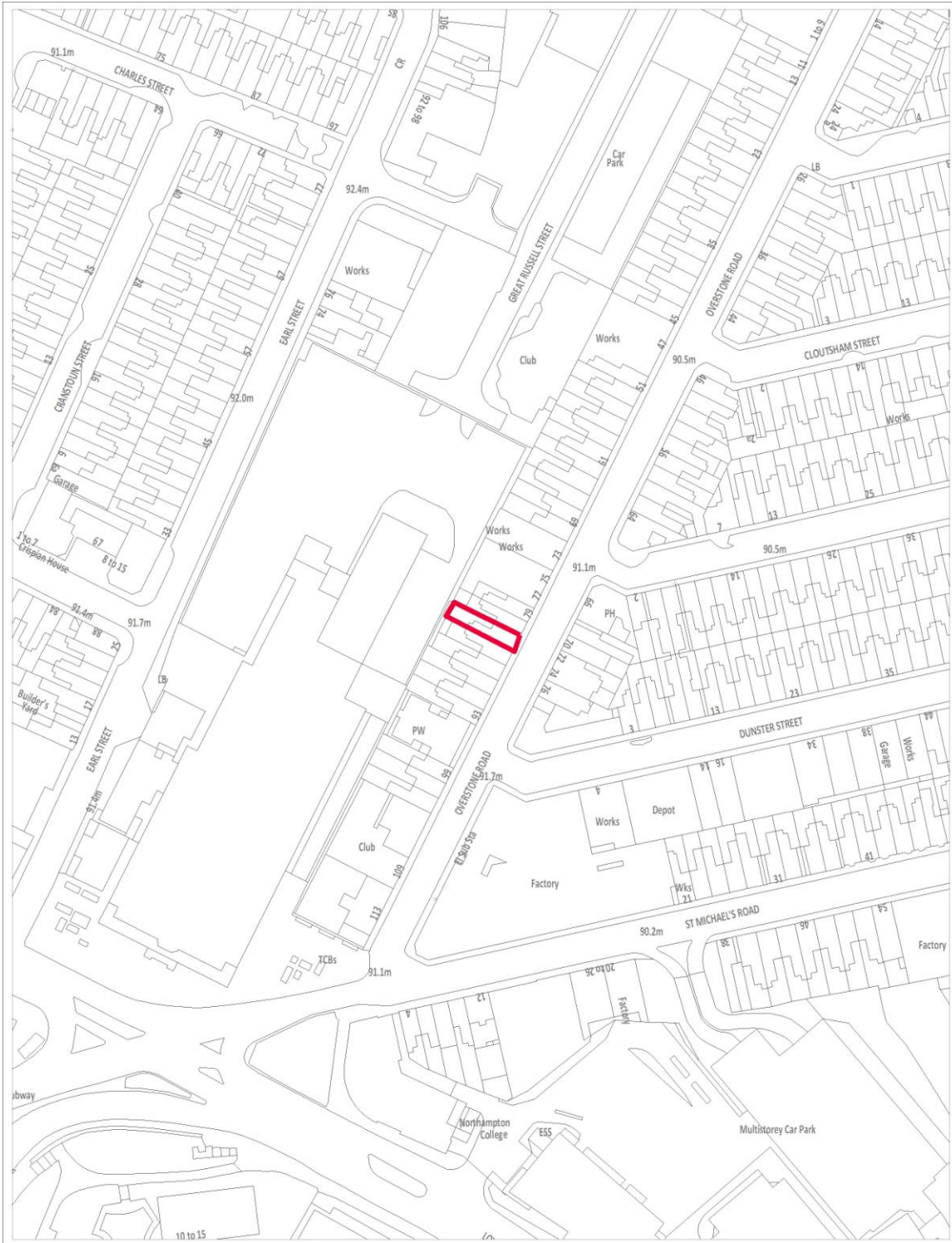
- 10.1 N/2015/0554

## **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: **20th July 2015**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Planning Committee**

**Title**  
**83 Overstone Road**

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