



PLANNING COMMITTEE: 28th July 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0561: Change of use from single dwelling to house in multiple occupation for 5 residents (Use Class C4) – retrospective application at 76 Somerset Street

WARD: Castle

APPLICANT: Mr. Nicholas Plummer
AGENT: None

REFERRED BY: Councillor D. Stone
REASON: Cumulative impact of house in multiple occupation and pressure on services

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street scene or the conservation area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 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 Retrospective permission is sought for a change of use from a single dwelling to a house in multiple occupation (HIMO) for 5 people. No external alternation to the property 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 A late Victorian terraced property fronting directly onto the street, with a rear outrigger and small rear garden. The property is two storeys, and is within the Boot and Shoe Quarter Conservation Area.

4. PLANNING HISTORY

- 4.1 None.

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).

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 - Core Principles - seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

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

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive 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 - 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.

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

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

Policy E26 – development should preserve or enhance the character and appearance of the Conservation Area.

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 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

5.6 **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 **Public Protection** – no objections but requests that standard refuse conditions be attached to any approval.
- 6.2 **Private Sector Housing** – space and amenities indicate that property suitable for 5 individuals.
- 6.3 **Built Conservation** – proposal does not affect character/appearance of the conservation area. Mentions that timber windows and door have been replaced since 2012 with upvc and that this has eroded and diminished traditional character of the heritage asset.
- 6.4 **Councillor D Stone** - strongly objects on grounds that area already has over 15% HIMOs and this would damage the community infrastructure and cause additional pressure on services, leading to parking problems and anti-social behaviour.
- 6.5 **Highway Authority** – some concern over potential for additional on-street parking arising from proposed use. 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.
- 6.6 The application has been publicised by way of newspaper advertisement and site notice. No neighbour representations have been received.

7. APPRAISAL

Principle of the development

- 7.1 The conversion of an existing dwelling to a HIMO is considered to be in accordance with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where they would not adversely affect the character and residential amenity of an area.

- 7.2 In principle, houses in multiple occupation are considered to be acceptable in a residential area.

Size of property

- 7.3 The plans indicate that there are four letting bedrooms, with a lounge, kitchen, bathroom and a shower room on the ground floor and toilet facility on the first floor. The response from Private Sector Housing indicates that the property can accommodate 5 people from four separate households, i.e. two people in one of the rooms. It is considered that the property can accommodate up to 5 people satisfactorily.

Area concentration

- 7.4 Council records evidence that there are no other HIMOs within a 50m radius of the application site and is therefore in line with the Council's adopted Planning Policy Statement on HIMOs.

Parking

- 7.5 No off-street parking is provided. However, the plans indicate that covered space for bicycles has been provided in the rear garden. Also, the site is less than 200m from the nearest bus routes and district centre. This therefore complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs.
- 7.6 The Highway Authority has expressed some concern over the potential for the additional on-street parking that may arise from the use. However, the street is covered by permit parking, and the Highway Authority has indicated that no additional permits would be issued to this property. It is therefore considered that the existing parking situation on Somerset Street would not be affected. Given the sustainable location of the site within walking distance of the services and facilities on Kettering Road and the town centre, it is considered that the impact on car parking would not be unduly significant.

Refuse storage

- 7.7 The plans indicate an area in the rear garden for the storage of refuse and materials for recycling. The comments from Environmental Health are noted. However, it was evident at the officer's site visit that refuse bins are provided, and a covered area in the rear garden for the storage of these is available, as has been indicated on the plans. This is considered to satisfactorily address the issue of refuse storage.

Conservation Area

- 7.8 No external changes to the property are included, and therefore there will be no impact upon the appearance of the conservation area. The Conservation Officer's comments are noted, however, planning permission would not have been required for replacing windows/doors.

Other matters

- 7.9 The applicant has submitted a statement concerning the management of the property, stating that it is managed by a locally based HIMO specialist lettings agency, which has been managing HIMOs since 2004, and which works closely

with the Council to ensure good practice in all of their properties. Fortnightly visits by the property management team are made, and a weekly maid service to provide cleaning and ancillary services to the tenants. Remedial maintenance is carried out within a fast responsive time frame to ensure that all properties meet current fire safety regulations and amenity guidelines. A 24 hour emergency number is available for tenants and neighbours to call should there be a problem.

- 7.10 The above comments are noted. During the officer's site visit it appeared that the property was tidy and in a good state of repair, although management issues are generally covered in the terms of the lease, and safety regulations would be covered under the Building Regulations.

8. CONCLUSION

- 8.1 Taking the above into account, it is considered that the use of this property as a house in multiple occupation for 5 people is in compliance with Policy requirements, and is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, block plan, floor plans.

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

- (2) The development hereby permitted shall be occupied by a maximum of five residents at any one time.

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

- (3) The bin storage and cycle storage provision as indicated on the approved plans shall be retained hereafter.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

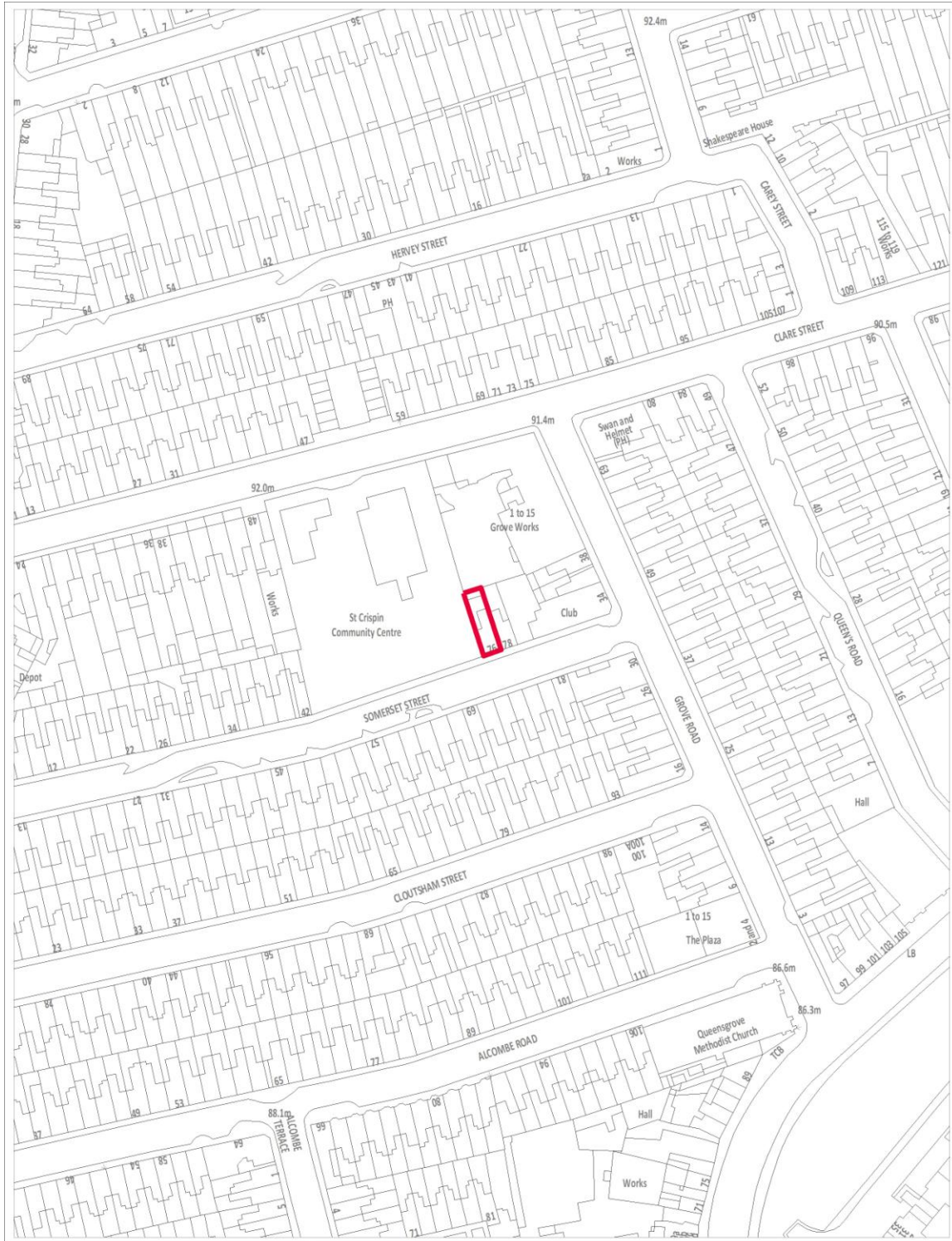
- 10.1 N/2015/0561.

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: 13th July 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
76 Somerset Street

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