



**PLANNING COMMITTEE:** 27<sup>th</sup> October 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/0991:** Change of use from dwelling (use class C3) to a house in multiple occupation (use class C4) for 3 residents (retrospective) at 72 Salisbury Street

**WARD:** Semilong

**APPLICANT:** Mr David Croissant  
**AGENT:** None

**REFERRED BY:** Councillor L. Marriott  
**REASON:** Will reduce family homes in the area. Too many HIMOs already existing in the area. Parking issues that will be added to by an additional HIMO

**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 development proposed would not lead to an unacceptable concentration of HIMOs within the locality and would not adversely impact upon the character and appearance of the property, the street scene, nor would it have any significant 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, and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's 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 retention of the change of use of the dwelling (use class C3) to a house in multiple occupation (use class C4) for three residents. No external alteration to the property is proposed.

- 2.2 The site lies within the 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 two-storey, traditional terraced dwelling house with no off-street parking in Salisbury Street.
- 3.2 The property has a bedroom, lounge, kitchen on the ground floor and two further bedrooms and a bathroom on the first floor.

### **4. PLANNING HISTORY**

- 4.1 N/2015/0176 Lawful Development Certificate for the proposed installation of external wall insulation 16/04/2015.

### **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 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 a good standard of amenity for existing and proposed occupiers.

Paragraph 49 - Housing application should be considered with a 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.

#### **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.

#### 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 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.

#### 5.6 **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 adequate refuse provision and storage.

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor L Marriott:** This will cause a reduction in family homes in the area which will be required ongoing, particularly when the new school opens on the old Royal Mail site on Barrack Road. Too many HIMOs already exist in the area and this will add to the problems already created by these. Parking is already a problem, as already identified by the Police, an additional HIMO will add to the problem.
- 6.2 **NCC Highways:** No observations to make in this instance.
- 6.3 **NBC Private Sector Housing:** The property is considered to be suitable to let to 3 separate individuals.

## 7. APPRAISAL

### Principle of the Development

- 7.1 The conversion of the property to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS 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 predominantly residential in character. From Council records that there is not a significant concentration of HIMOs in the surrounding area. There are eight identified HIMOs within a 50 metre radius of the property, equating to 7.9% of properties in use as HIMOs within a 50m radius of the application site. This would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.
- 7.3 A condition shall be attached to the planning permission to restrict the use of the premises to a maximum of 3 occupants, the impact of which would not be significantly different to that of a conventional 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 as a result of the development.

### Amenity and Refuse Storage

- 7.4 Policy H30 of the Local Plan, although dated, is in line with the aims of the 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 property is considered to be of sufficient size in amenity terms in accordance with the Council's HIMO Facilities and Amenities Guidance. All bedrooms are served by adequate outlook and light.
- 7.5 A condition shall be attached to the planning permission requiring details of refuse storage.

- 7.6 The use proposed falls within Class C4 of the Use Classes Order, which in effect categorises this as a residential use which would not generate amenity impacts such as noise or anti-social behaviour on local residents over and above those created by a more conventional C3 dwelling. Indeed without the Article 4 Direction planning permission would not be required for this change of use. Consequently it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.

### **Parking**

- 7.7 There is no off-street parking associated with the development. The Local Highways Authority have not objected to the application. Given that the lawful use as a dwelling would be likely to generate some vehicle movements, it is considered that the use as a HIMO for 3 residents would not create any significant additional traffic. The site is in a relatively sustainable location within walking distance of services and facilities in the town centre and the impact on car parking would not be unduly significant. A condition for cycle storage is to be imposed to promote sustainable travel to the site.
- 7.8 The proposal's impact on highways and parking is considered to be acceptable and in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

## **8. CONCLUSION**

- 8.1 It is considered that the development would not lead to an unacceptable concentration of HIMOs within the locality and would therefore not adversely impact on the character and amenity of the area or parking provision. The property is of sufficient size to accommodate the level of accommodation proposed and is considered in accordance with policy and guidance requirements and therefore recommended for approval.

## **9. CONDITIONS**

- (1) The property shall be occupied by no more than 3 persons at any one time.

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

- (2) Within one month of the date of this permission details of cycle storage within the site boundary shall be submitted to and approved in writing by the Local Planning Authority and these shall be implemented in accordance with the approved details within one month of the date of approval and retained thereafter.

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.

- (3) Within one month of the date of this permission 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 and these shall be implemented in accordance with the approved details within one month of the date of approval

and retained thereafter.

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.

**10. BACKGROUND PAPERS**

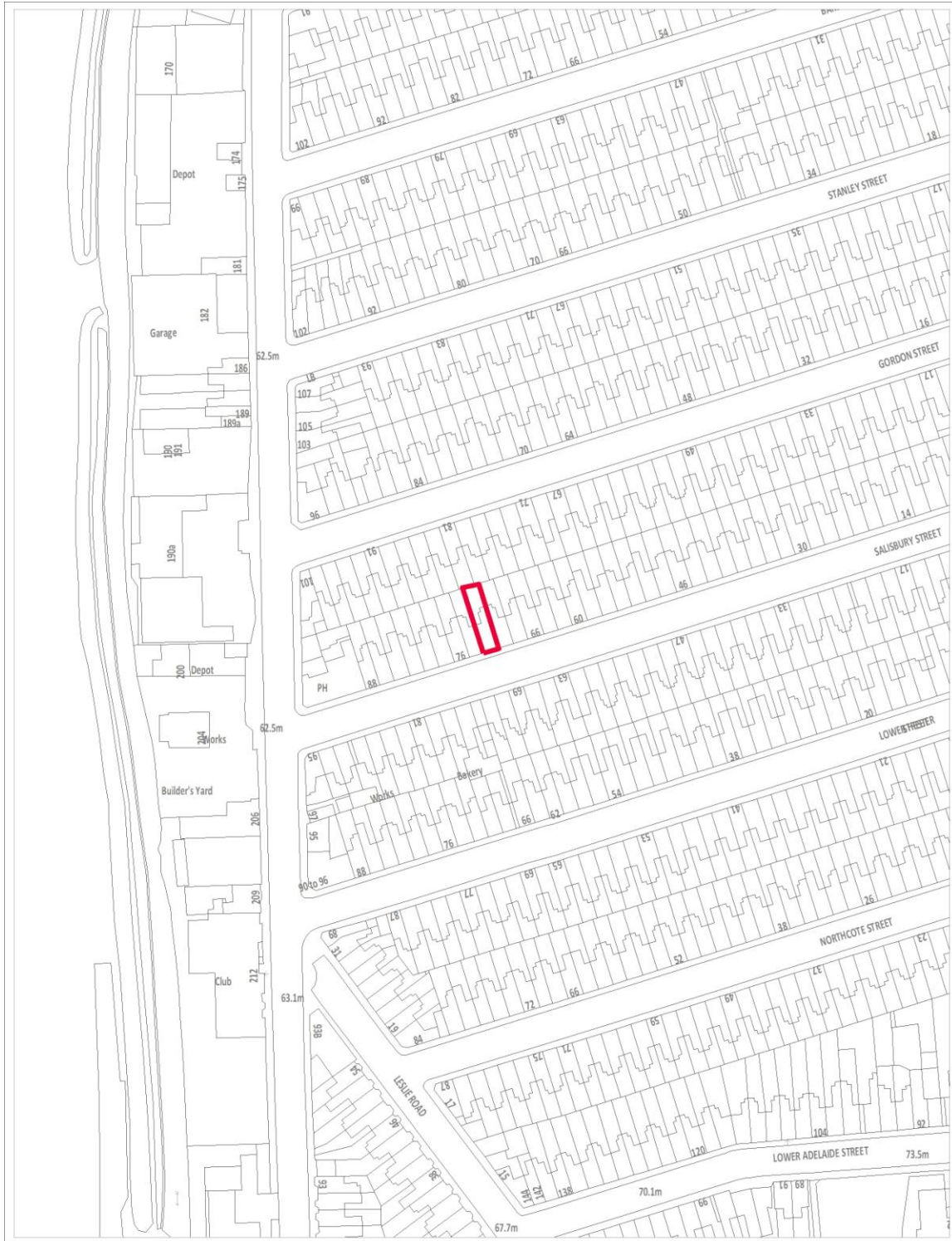
10.1 N/2015/0991.

**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: 16th October 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

**Title**  
**72 Salisbury Street**

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