



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

N/2015/0756: Change of use from single dwelling (use class C3) to a house in multiple occupation (use class C4) for 5 residents at 45 Allen Road

WARD: Abington

APPLICANT: Mrs. Lisa Hay
AGENT: None

REFERRED BY: Councillors D. Stone and Z. Smith
REASON: Overconcentration will add pressure to services and parking, and cause littering and antisocial behaviour

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, 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, and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 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 Permission is sought for a change of use from a single dwelling to a house in multiple occupation (HIMO) for 5 people. No external alteration to the property is proposed. No on-site parking facility 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.

- 2.3 This application was deferred at the last Committee meeting, pending further information on HIMOs in the area to be submitted by Cllr. Stone.

3. SITE DESCRIPTION

- 3.1 A late Victorian, two-storey terraced property with rear loft extension fronting directly onto the street, with a rear outrigger and small rear garden. The area is residential in character with similar terraced properties on both sides of the street.

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).

5.3 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.

5.4 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.

5.5 **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 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 provision of adequate storage for refuse and materials for recycling.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – space and amenities indicate that the property is suitable for 5 individuals, providing that the communal WC cubicle on the first floor contains a shower and/or bath facilities.
- 6.2 **Councillor D. Stone** – area already under pressure from overdevelopment and more HIMOs will add to the stress, the area is under pressure on services, parking, fly-tipping and littering.
- 6.3 **Councillor Z. Smith** - the area already has a large number of HIMOs and this creates difficulties with Environmental Services and anti-social behaviour. Important to have clear evidence of the number of HIMOs before approving application.
- 6.4 **Highway Authority** – due to known pressure on parking in the area, requested a parking beat survey by an independent survey company. This has been provided, and the Highway Authority has commented on the data as follows: *'the data shows that whilst there is considerable parking demand, there is nevertheless some residual parking capacity available. Therefore, the LHA believes that the change of use to a HIMO has the potential to reduce the amount of available parking space in the area, however, we are satisfied that this is unlikely to impact upon highway safety. You may still wish to satisfy yourselves that there is sufficient parking amenity available in the area.'*
- 6.5 The application has been publicised by way of site notice and letters to neighbours.
- 6.6 Objections received from **13, 37, 48 Allen Road, and 135 The Drive** on grounds of over-concentration of HIMOs, creating difficulties with overcrowding, noise, anti-social behaviour; with an existing negative effect on waste services, parking and litter. Area already under severe pressure from overdevelopment, further multiple occupations would add to the existing stress in the area and force out existing C3 residents forming a ghetto of rented accommodation with community spirit eradicated.

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, HIMOs are considered to be acceptable in a residential area.

Size of property

- 7.3 The plans indicate that this is currently a three-bedroom property; and it is proposed to have five letting bedrooms (one at ground floor, three at first floor, and one in the roof dormer level) together with a lounge, kitchen and WC on the ground floor and bathroom on the first floor and an additional WC in the roof

dormer. The response from Private Sector Housing indicates that the property is suitable to accommodate 5 people from five separate households, provided that a bath/shower is installed. At the site visit, the case officer confirmed that a bath/shower is installed, and it is therefore considered that the property can accommodate up to 5 people satisfactorily.

Area concentration

- 7.4 Council records evidence that there are no other confirmed HIMOs within the 50m radius of the application site, and therefore no over-concentration exists. The use of this property as a HIMO would equate to less than 1% concentration in the area. This would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.
- 7.5 Following the Planning committee meeting on 27 October, Cllr. Stone has identified several properties that she suspects of being in HIMO use. This information has been forwarded to the Private Sector Housing department for further investigation. Four of these properties are within the 50m radius of this site, however, even if they are confirmed as HIMOs, this would not result in the 15% threshold being exceeded by this application. Including this development the percentage would possibly be 9% with 5 out of 54 properties in HIMO use. Taking into account the application at 35 Allen Road, considered elsewhere, this would raise the percentage to 11%.

Parking

- 7.6 No off-street parking is provided. However, the plans indicate that bicycle storage space 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.
- 7.7 The submitted Parking Survey evidences that there is residual parking capacity along the street. The survey was conducted on a week day evening between 6pm and 9pm. The Highway Authority is now satisfied that any increase in parking congestion in the area is unlikely to impact upon highway safety.

Refuse storage

- 7.8 The plans indicate an area in the rear garden for the storage of refuse and materials for recycling, and this therefore complies with Principle 4 of the Council's Planning Policy Statement on HIMOs.

Amenity

- 7.9 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.

8. CONCLUSION

8.1 Taking the above into account, it is considered that the use of this property as a HIMO for 5 people is in compliance with Policy requirements, 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 plans: location plan, existing and proposed floor plans.

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

(3) 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.

(4) The bin storage and cycle storage provision as indicated on the approved plans shall be implemented prior to the use commencing and retained thereafter.

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.

(5) The basement area shall not be used for habitable accommodation at any time.

Reason: For the avoidance of doubt and to avoid overdevelopment of the site in the interests of amenity in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

10.1 N/2015/0756

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: 6th November 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
45 Allen Road

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