



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1078

LOCATION: 74 Military Road

DESCRIPTION: Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 5 no. residents

WARD: Castle Ward

APPLICANT: Mr Mohammed Azizur Rahman
AGENT: N/A

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a Council Member

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 proposed would not lead to an unacceptable concentration of HIMO's within the locality and would not adversely impact on the character and appearance of the property, the street scene, conservation area, nor 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, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 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 Permission is sought for the change of use from a dwelling into a house in multiple occupation (HIMO) for up to five people. No external alterations are proposed.

3. SITE DESCRIPTION

3.1 The property is a 2-storey mid-terraced dwelling currently with four bedrooms and an enclosed rear yard. The property lies within a residential area comprising

predominantly of terraced streets and is situated within the Boot and Shoe Quarter Conservation Area.

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

4. PLANNING HISTORY

- 4.1 There is no relevant planning history.

5. PLANNING POLICY

5.1 Statutory Duty

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) saved policies.

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

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 applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 – Seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, 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 – 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 – 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 adequate refuse provision and storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Private Sector Housing** – no objections. The property is suitable to let to 5 individuals from 5 separate households.
- 6.2 **NCC Highway Authority** – the LHA holds the right to restrict the number of permits administered to a property as it sees fit. This may result in the number of permits being limited with no guarantee that every resident within the revised property will be issued a permit.
- 6.3 1 letter of objection from 28 Burns Street (landlord of No. 76):
- Tenants are likely to be of transient nature with little interest in community which may result in adverse impacts on amenity and character of area and lives of people living there.
 - 7 people living in same house may give rise to potential internal disputes and/or opportunity to host parties.
 - Concerns regarding noise, rubbish disposal, anti-social behaviour.
 - Increased parking problems.

7. APPRAISAL

Principle of Development

- 7.1 The conversion of the existing dwelling 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. It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area with three identified HIMOs excluding the application site within a 50 metre radius of the property. This, including the proposal, would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs also taking into account the proposed HIMOs within the locality, the subject of separate reports on this agenda.
- 7.3 The proposal could be conditioned to restrict the use of the premises to a maximum of five 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.

Amenity and Refuse Storage

- 7.4 Policy H30 of the Local Plan, although dated, is in line with the aims of 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 scheme has been amended to reduce the number of occupants proposed from seven to five incorporating three single rooms on the first floor and a double room on the ground floor. The property is considered to be of sufficient size for the number of occupants proposed providing room sizes and facilities in accordance with the Council's HIMO Facilities and Amenities Guidance and a condition restricting the use of the property to a maximum of five people would ensure over-development does not occur. All bedrooms are served by adequate outlook and light.

- 7.5 Bin storage can be provided in the enclosed rear yard and can be secured by condition.

Highways and Parking

- 7.6 Parking within the vicinity of the site is on-street and controlled via residents' parking permits. The Highway Authority has advised that the number of parking permits issued may be limited with no guarantee that every resident within the property will be issued a permit. 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 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 therefore it is considered that the impact on car parking would not be unduly significant. A condition for cycle storage could be imposed to promote sustainable travel to the site.

Impact on appearance and character of conservation area

- 7.7 No external alterations are proposed and the proposed change of use would therefore have a neutral impact on the character and appearance of the conservation area.

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 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 property shall be occupied by no more than 5 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.

- (3) Prior to commencement of the use hereby permitted, details of refuse and cycle storage within the site boundary shall be submitted for approval in writing by the

Local Planning Authority and implemented in accordance with the approved details prior to the occupation of the premises hereby permitted.

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.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plan: Revised layout plan received on 7th January 2016.

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

10. BACKGROUND PAPERS

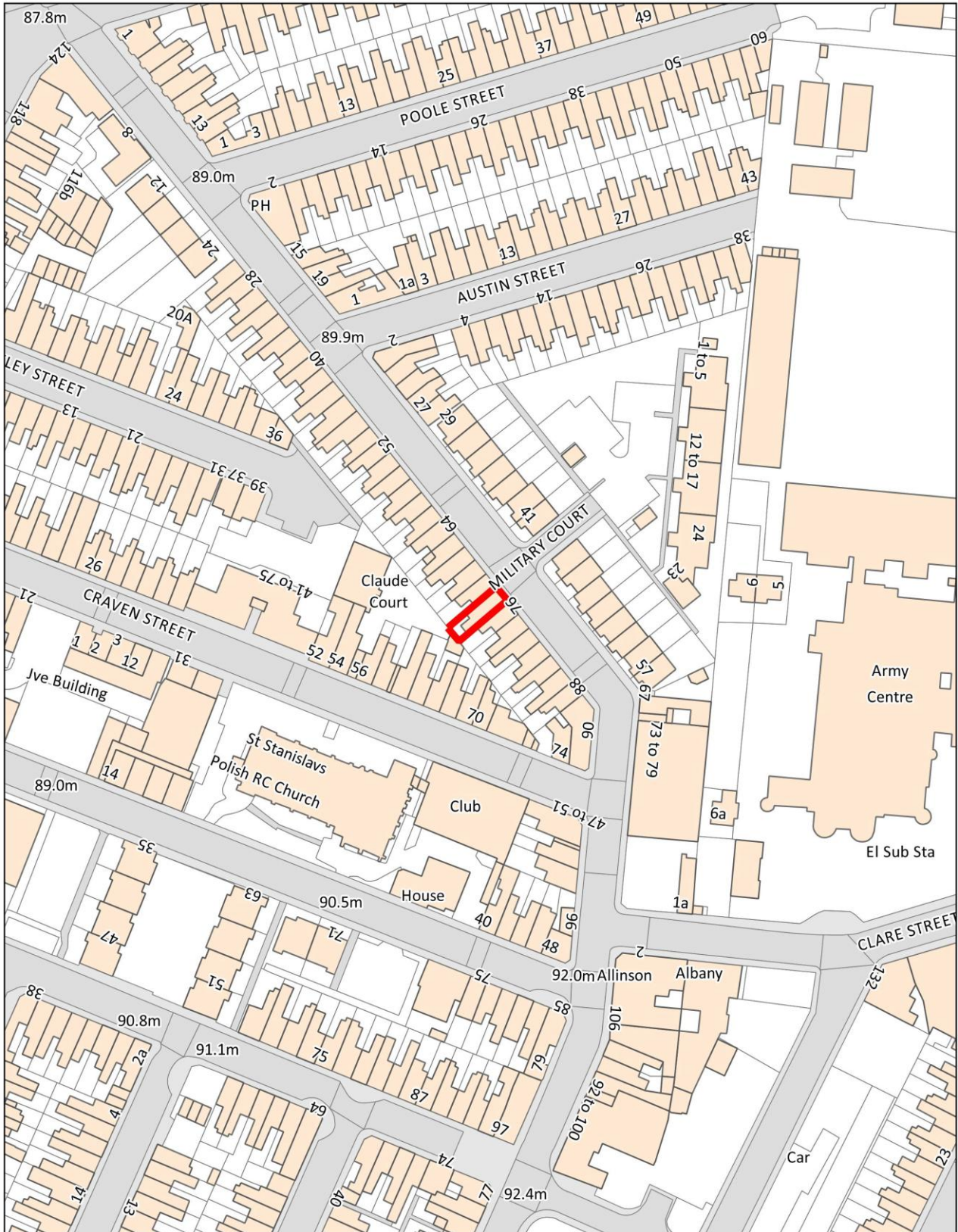
- 10.1 N/2015/1078


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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 74 Military Road</p>	<p>Date: 05-01-2016</p>
<p>© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.</p>		<p>Scale: 1:1,250</p> <p>Drawn by: Planning</p>