



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

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

APPLICATION REF: N/2015/1256

LOCATION: 13 Uppingham Street

DESCRIPTION: Change of use from dwelling (Use Class C3) into house in multiple occupation (Use Class C4) for 3no residents

WARD: Semilong Ward

APPLICANT: Mr David Croissant
AGENT: N/A

REFERRED BY: Cllr L Marriott
REASON: Loss of a family home, parking issue and over concentration of HIMOs

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 Retrospective permission is sought for a change of use from a single dwelling to a house in multiple occupation (HIMO) for 3 people. No external alteration to the property is proposed.
- 2.2 It was noted at the officer's site visit that the use had already commenced, with three occupants residing at the property.

- 2.3 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 A late Victorian, two-storey terraced property 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. The property has no basement and no on-site parking facility is provided.

4. PLANNING HISTORY

- 4.1 None.

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 Central Area Action Plan (2013).

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.

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 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.

5.5 **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.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Cllr. L. Marriott** – following consultation with the Semilong Community Forum, called the application in on the following grounds:

1. Application N/2015/1256 will cause a reduction in family homes in the area which are presently required and will be ongoing. In particular there will be a significant increase in demand for family homes within easy walking or cycling distance of the new school when it opens on the old Royal Mail site on Barrack Road in Semilong.

2. Too many HMO's already exist in the area and this applications will add to the problems already created by these.

3. Parking in the area at weekends and evenings/nights is already a serious problem in the area, as identified by the Police.

6.2 **NBC Private Sector Housing** – the space and amenities provided indicate that the property will be suitable to let to 3 individuals from 3 separate households.

6.3 **Highway Authority** – No observations.

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

Size of property

7.2 The plans indicate three letting bedrooms, one at ground floor, two at first floor, together with a lounge, kitchen and WC on the ground floor and bathroom on the first floor. The response from Private Sector Housing indicates that the property is suitable to accommodate 3 people households, provided that adequate refuse storage is provided.

Area concentration

7.3 Council records evidence that there are two other confirmed HIMOs within the 50m radius of the application site. This equals 1.5% of the total number of dwellings (107), and including the application site, it would equal 2%. This clearly falls within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

Parking

7.4 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 100m from the nearest bus routes. This therefore complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs. The Highway Authority has made no observations.

Refuse storage

7.5 The plans indicate an area at the rear of the property for the storage of refuse and materials for recycling, and is therefore considered to comply with Principle 4 of the Council's Planning Policy Statement on HIMOs.

Amenity

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.

8. CONCLUSION

- 8.1 Taking the above assessment into account, it is considered that the use of this property as a HIMO for 3 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, 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 three 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 provided within a month from the date of the permission hereby permitted 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.

10. BACKGROUND PAPERS

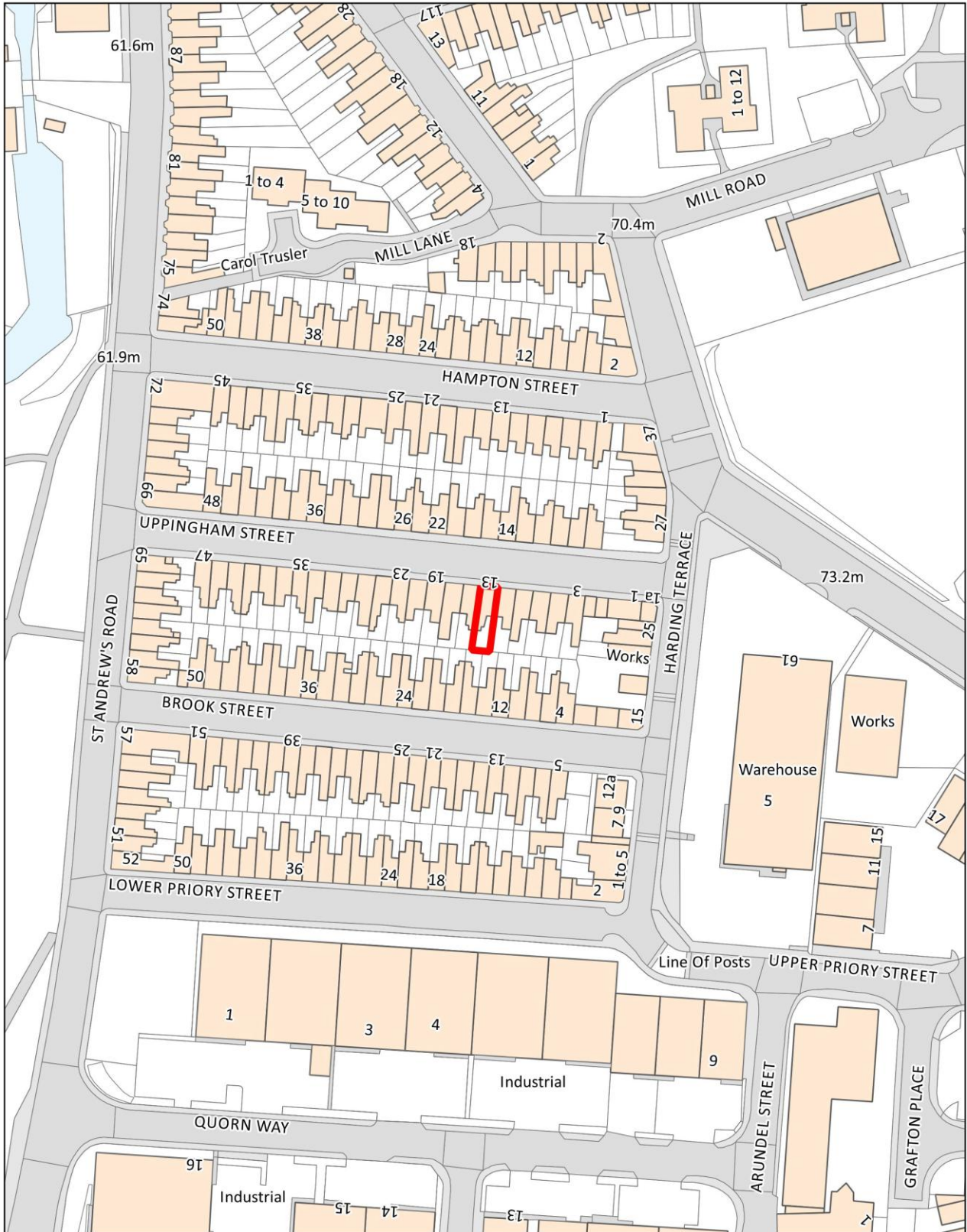
- 10.1 N/2015/1256

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.



Title: **13 Uppingham Street**

© 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.

Date: 05-01-2016
 Scale: 1:1,250
 Drawn by: Planning