

PLANNING COMMITTEE: 6th September 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0904

LOCATION: 22 Marriott Street, Northampton

DESCRIPTION: Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 6 residents
WARD: Semilong Ward

APPLICANT: Mr M Rowthorne
AGENT: Alan McGowan Architects

REFERRED BY: Councillor L Marriott
REASON: Loss of family dwelling

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reasons:

- (1) The proposed development would result in an over concentration of Houses in Multiple Occupation within a small area. As a result of this, the proposal would prevent the provision of an adequate mixture of house types within the vicinity and would adversely impact upon amenity levels. The development therefore fails to comply with the requirements of the National Planning Policy Framework; Policy H1 of the West Northamptonshire Joint Core Strategy; and the Houses in Multiple Occupation Interim Policy Statement.
- (2) It has not been demonstrated that the proposed development would have a neutral impact upon the highway system due to the lack of an assessment of car parking capacity within the vicinity. The development therefore fails to comply with the requirements of the National Planning Policy Framework and the Houses in Multiple Occupation Interim Policy Statement.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission to change the use of the property from a dwelling to a House in Multiple Occupation (hereafter referred to a HIMO) for six people. No external alterations have been proposed.

3. SITE DESCRIPTION

- 3.1 The application site consists of a terraced property located in predominantly residential area. The surrounding properties are generally of a similar scale and type. A significant number of these are in use as HMOs. It is also noted that some of the other dwellings within the wider area have been converted to flats. This therefore means that there is a relative under provision of family accommodation within the vicinity.
- 3.2 The site forms part of the Barrack Road Conservation Area. The terrace in which the application is sited is of significant proportions and features a degree of symmetry that contributes to a strong sense of place. The application site is opposite the Catholic Cathedral and Bishop's House.

4. PLANNING HISTORY

- 4.1 N/2016/0542 – Change of use from dwelling to house in multiple occupation for six people – Withdrawn.

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 Northampton Local Plan (1997) saved policies.

- 5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities pay special attention in the exercising of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

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.

- 5.4 Paragraph 17 seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers, whilst 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 35 requires the provision of safe traffic layouts that minimise the conflict between traffic, pedestrians and cyclists. Paragraph 131 states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation

5.5 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:

5.6 Policy H1 of the West Northamptonshire Joint Core Strategy (hereafter referred to the JCS) 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 S10 requires development to satisfy a range of sustainable development principles, including safety and creating a strong sense of place.

5.7 **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:

5.8 Policy E20 of the Northampton Local Plan requires that new development should adequately reflect the character of surroundings. Policy E26 requires that new development have a neutral impact on conservation areas. In addition, Policy H30 requires HMOs 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.

5.9 **Supplementary Planning Documents**

In November 2014, the Council adopted an Interim Policy Statement of HMOs. This established a number of key principles for consideration. In essence, proposals for HMOs 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 HMOs 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**

6.1 **Cllr. L. Marriott** – Object due to loss of a family dwelling. This is of significant importance due to the conversion of the former sorting office to a school, which is likely to increase the need for family housing.

7. **APPRAISAL**

7.1 Whilst it is accepted that the proposed development would encompass an existing dwelling hereby ensuring a satisfactory level of amenity for the future occupiers of the development, there are concerns regarding the number of HMOs within the vicinity. The interim policy statement states that no more than 15% of buildings within a 50m radius should be used for HMOs. The Council's data indicates that of the 38 buildings within this radius, approximately 24% would be in use as HMOs in the event of this application being approved.

7.2 It is considered that the development would create an over dominance of house types within the vicinity, which would be contrary to the aims and objectives of the NPPF, the JCS and the

Interim Policy Statement. Given this, it is considered that the principle of a further HIMO is unacceptable. Furthermore, the proposed development would include six residents. This is an intensity that is likely to be greater than what would normally be expected within a family dwelling. As such, the impacts of the development (in terms of matters such as increased comings and goings and refuse generation) are likely to be greater than those associated with a conventional family dwelling.

- 7.3 For the foregoing reasons, it is concluded that the harm arising from the breach of the adopted planning policies is significant due to the loss of other family accommodation elsewhere within the vicinity. The development therefore prevents the provision of a sustainable mixture of housing, whilst the cumulative impacts of this proposal combined with the similar developments elsewhere.
- 7.4 Given the number of residents that would be present in the property, it is reasonable to assume that as least some would have access to a private car. Due to the general reliance upon on street parking in the vicinity, it is recognised that the development would increase the demand for on street spaces. Given the lack of a parking survey, it has therefore not been demonstrated that the proposed development would have a neutral impact on the highway safety.
- 7.5 In addition to this factor, a HIMO would be occupied by six adults, which again would be unusual within a conventional family dwelling. As a result of these points, it can be reasonably concluded that the patterns of usage are likely to be materially different than a dwelling used for purposes falling within Use Class C3. It is also worth noting that there has been growth in the likely groups that may occupy a HIMO due to market forces. Therefore, HIMOs can be occupied by groups of people, such as young professionals where car ownership may be higher than other groups more associated with HIMO residence, such as students.
- 7.6 It is accepted that the proposed development would have a neutral impact upon the amenities of surrounding properties and the lack of external alterations ensure that there would be a neutral impact upon the surrounding heritage assets, however, this is not considered sufficient to outweigh the harm as previously identified.

8. CONCLUSION

- 8.1 The development would result in the loss of a building that could be utilised for a family dwelling, which would adversely impact upon the character of the vicinity and the amenities of the occupiers of surrounding properties. The applicant has not demonstrated that the proposal would have a neutral impact on highway safety. The application is therefore recommended for refusal.

9. BACKGROUND PAPERS

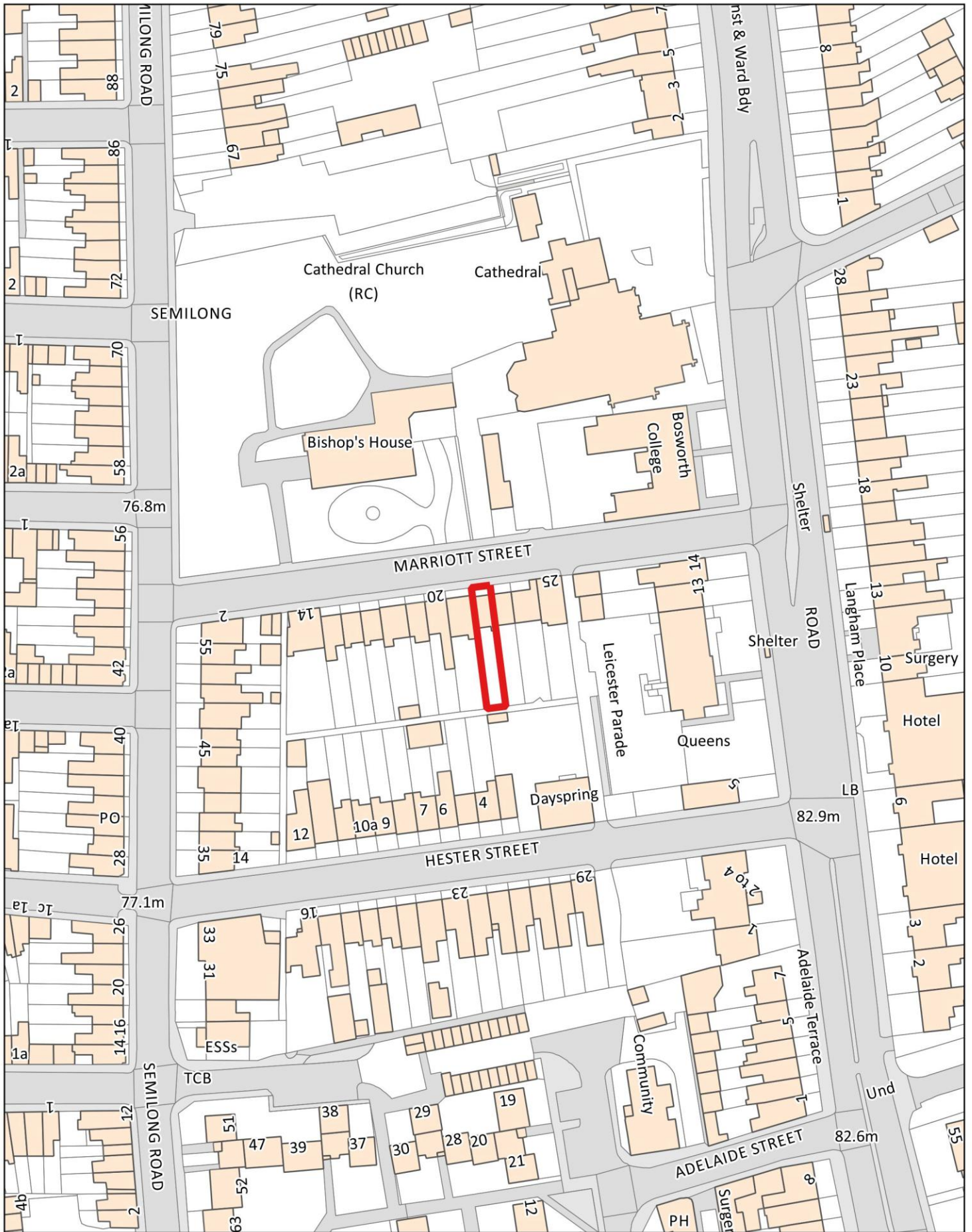
- 9.1 N/2016/0904.

10. LEGAL IMPLICATIONS

- 10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 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: **22 Marriott Street**

© Crown copyright and database rights 2016 Ordnance Survey licence no. 10019655

Date: 26-08-2016

Scale: 1:1,250

Drawn by: PLANNING