

PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1476

LOCATION: 61 Abington Avenue, Northampton

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

WARD: Abington Ward

APPLICANT: Mr Strube
AGENT: Mr Ackerman

REFERRED BY: Councillor Zoe Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

Due to there being no residual parking capacity for vehicles in the area, and the fact that that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the change of use of an existing dwelling to a house in multiple occupation for six residents.

3. SITE DESCRIPTION

3.1 The application premises consists of an existing three bedroom terraced house. This has been converted in the past from two separate dwellings and the ground floor of one former dwelling has been converted into a garage area, with a room above which is accessed via a bedroom.

3.2 The surrounding area consists largely of terraced houses, with some business units in the area and also a mosque opposite the site.

4. PLANNING HISTORY

- 4.1 N/2006/0516 – Conversion of property into 2 dwellings & ground floor rear extension with balcony above and rear boundary wall. Refused 25.07.06.
- 4.2 N/2007/0962 – Conversion of dwelling into two separate dwellings with a single storey rear extension, Juliet balcony and front velux window. Approved 2.01.08.
- 4.3 N/2010/1085 – Extension of time limit to implement planning permission N/2007/0962. Approved 8.02.11.
- 4.4 N/2014/0110 - Conversion of existing dwelling to form 3no residential units including alterations to ground floor front elevation and installation of rooflights – Approved 31/03/2014.

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 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 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should 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 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 - Managing the existing housing stock - 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 - Sustainable Development Principles - 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**

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire Parking Standards (September 2016) – This sets out a standard for Houses in Multiple Occupation of one vehicle parking space and one secure covered cycle space per bedroom.

5.6 **Other Material Considerations**

The Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014) sets out four principle which proposals for HIMOs should comply with:

- 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;
- To promote the use of public transport, cycling and walking and to secure provision of adequate parking.
- To 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** – Confirm that the proposal will meet the space standards for a six person HIMO and will require mandatory licencing.

6.2 **Local Highway Authority** – following a request for and the receipt of a parking beat survey, the LHA comment as follows:

The LHA have received a number of parking surveys submitted as part of numerous planning applications. After analysing the data it has become apparent that when on-street parking is at 85% to 90% of capacity, there are very few available spaces in the area and it is therefore considered at capacity. This is because any fluctuation in demand could result in highway safety and amenity problems arising. When the capacity exceeds 90%, the area is over saturated with parked vehicles and which will result in highway safety and amenity issues arising on a regular basis. Any increase in demand will further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to a lack of parking amenity.

The parking beat survey submitted by the applicant shows there is no residual parking capacity for vehicles within the survey area.

The report submitted along with the survey data highlights issues of cars frequently parked within 5m of junctions, double parking on Holly Road and Ivy Road in particular and frequent parking across dropped kerbs.

It should also be considered that parking levels will fluctuate to some degree. This means that at times, demand will be greater than the levels shown during the survey period.

The LHA acknowledge that there is a good chance that not all the residents of an HIMO will have a car. However, as all residents will be of driving age, there is the real possibility the property could produce a demand for 6 vehicles.

The LHA therefore considers that the increase in parking demand generated by this development is likely to result in increased parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking, all of which are already evident. The application will therefore result in a greater risk to both motorists and pedestrians and for this reason the LHA must object to the proposed development on the grounds of highway safety. Furthermore, the increase in parking demand will have a negative amenity impact on neighbouring residents.

6.3 **Councillor Zoe Smith** – Wish to call in the application to Planning Committee on the basis that parking is already very strained in the area, with the property being near a mosque which already causes a parking challenge in the area.

6.4 Representations received from the neighbouring occupier at **57 Abington Avenue**, making the following points in summary:

- Each successive application has involved ever increasing numbers in occupation of a fixed and limited space with no thought nor concern for social consequences or pressure on local infrastructure.
- No evidence of anything being done to enhance the quality of local life.
- Multi-occupancy will bring with it additional vehicles.
- Have had unpleasant encounters with the applicant in the past.
- Not convinced management plan would be adhered to.

7. APPRAISAL

- 7.1 The principal issues to consider in this case are as set out in the four principle of the Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and considered in turn below. Further considerations relate to the Northamptonshire Parking Standards and other planning policy.

Concentration of HIMO in the area

- 7.2 The concentration of HIMO uses in the area is assessed by reference to records held by the Council. The IPPS states that there should be no more than 15% of properties in this use within a 50m radius. In this case, records indicate that within a 50m radius of the application site 8 of the 60 residential properties are houses in multiple occupation, resulting in a concentration of 13%. With the proposed change of use this would bring the percentage to 15%. As this does not exceed 15% this would comply with the policy guidance.
- 7.3 In respect of the nature of the use, whilst comments from the objector referring to ant-social behaviour are noted, this would not represent a material planning consideration as it cannot be assumed that occupants of this type of accommodation would be more or less likely to be involved in such behaviour than those in other types of accommodation.
- 7.4 It must therefore be concluded that the proposal would not adversely affect the character of the area.

Size of property and facilities for future occupiers.

- 7.5 The plans indicate the sizes of all bedrooms proposed as well as kitchen, bathroom, WC and shower facilities. The comments received from Private Sector Housing indicate that the accommodation proposed would be acceptable for 6 residents subject to compliance with licence conditions.

Flood risk

- 7.6 In respect of flood risk the application site is outside of the areas of the town identified a being at risk from flooding.

Parking

- 7.7 The adopted IPPS sets out that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 In this case, there is a bus stop opposite the site in Stimpson Avenue, within 40m of the property. Additionally, the site is 130m from a small local shopping centre at the junction of Abington Avenue and Abington Grove and within 300m of the edge of the Kettering Road Local Centre.
- 7.9 Within such areas the IPPS goes on to say that storage space should be provided which is accessible to cycle users, which is available in this case.
- 7.10 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.11 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom and where less this is proposed

that the Highway Authority will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.

- 7.12 In this case no on-site parking is proposed and the Local Highway Authority duly requested that a parking beat survey be carried out. This survey was subsequently produced and the response from the Local Highway Authority to this survey was that this showed the area to be at capacity for parking, as quoted above at Para 6.2. An objection has therefore been raised by the LHA in terms of highway and pedestrian safety.
- 7.13 The current use of the property is as a three bedroom dwelling, with a potential occupancy of up to four car driving adults. The proposed change of use would, therefore, result in a potential increase to six car driving adults.
- 7.14 Regard must also be given to the planning history of the site. As referred to above, permission was granted in 2014 for the use of the premises as three dwellings. This includes a total of four bedrooms across the three units and could accommodate up to eight occupants in total and potentially six or seven car driving adults. This would thereby potentially result in a similar or increased demand for parking to the current proposal. This permission remains extant but now has a very limited time remaining for implementation of the proposal to be commenced and can therefore effectively be considered to have lapsed. If a further application for the same number of flats was now submitted, this would be assessed against the current guidance which requires 2 spaces per dwelling and one additional visitor space per dwelling, which could not be complied with.
- 7.15 It is considered, therefore, that the proposed change of use would result in a marked increase in demand for parking over and above that of the current use of the premises and that due to the oversubscribed nature of parking in the area this increase would result in an increased incidence of inappropriate parking, to the detriment of highway and pedestrian safety.

Refuse storage

- 7.16 The rear yard of the property is shown on the submitted plans as to be used for refuse storage and there is adequate space for this.

8. CONCLUSION

- 8.1 Whilst the proposed change of use would comply with the adopted Interim Planning Policy Statement on HIMO's in respect of proximity to bus stops and local facilities, due to the absence of any provision of on-site parking the proposal would not comply with the Northamptonshire Parking Standards which were adopted after the IPPS. Given the congested nature of on street parking in the area, as demonstrated by the applicant's own parking beat survey, it is considered that the proposal would have a detrimental impact on highway and pedestrian safety due to the increased incidences of inappropriate parking which would result. Whilst the site is served by bus routes and local facilities, it is considered likely that at least some of the occupants would have cars, which could not be accommodated in the area. In this particular case, therefore, it is recommended that the application should be refused due to the detrimental impact on highway and pedestrian safety which would result.

9. BACKGROUND PAPERS

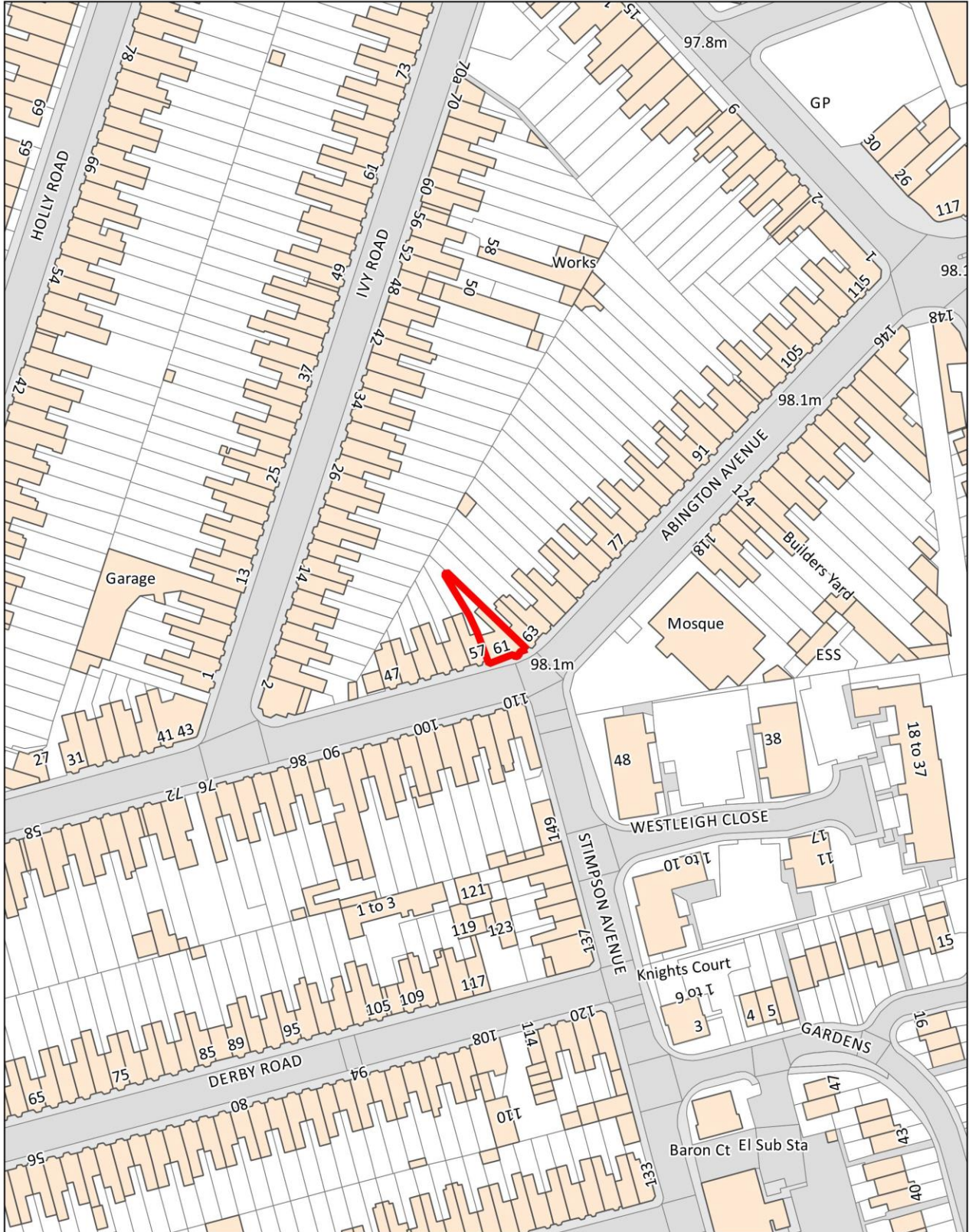
- 9.1 Application file N/2016/1476.

10. LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

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: **61 Abington Avenue**

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Date: 28-02-2017

Scale: 1:1,250

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