

PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0386

LOCATION: 48 Southampton Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants
WARD: Delapre & Briar Ward

APPLICANT: Mrs Jacqueline Abbott
AGENT: Mrs Jacqueline Abbott

REFERRED BY: Councillor V Culbard
REASON: Parking and refuse concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The proposed development is considered acceptable in principle as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and not have an adverse impact on flood risk. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for a change of use of a dwellinghouse (Class C3) to a house in multiple occupation for four occupants (Class C4). There are no external works proposed with the conversion. The proposal includes two ground floor bedrooms, kitchen, bathroom and utility and two bedrooms above with bathroom.

3. SITE DESCRIPTION

3.1 The site consists of a terraced dwelling along a residential street of similar properties. The property has a private rear garden and is located in a high risk Flood Zone (Flood Zone 3). It is

not in a conservation area. The site is also within easy walking distance to St Leonards Road where shops and services are located.

4. PLANNING HISTORY

4.1 No recent planning applications.

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), 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.

Paragraph 100 to 104 relate to Flood Risk in determination of planning applications.

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 HIMO's 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.

BN7 Flood Risk – relates to flood risk as a consideration in the determination of this planning application.

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 Parking Standards (September 2016)
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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environment Agency** - No objection, the revised Flood Risk Assessment complies with requirement of the NPPF. The applicant has proposed flood proof measures as part of their proposal also.
- 6.2 **NCC Highways** - Raise objections. The information submitted demonstrates that no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HIMOs is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any development impact that compromises the safety of motorists and pedestrians on the highway

network is considered severe. In conclusion, in the interest of highway safety Northamptonshire Highways must object to the application for the conversion of a residential dwelling to a house in multiple occupancy for 4 residents, as it would further exacerbate the exiting parking problems in the area.

6.3 **NBC Private Sector Housing** - No objection, general comments provided in terms of fire safety and gas and electric meters.

6.4 **Cllr V. Culbard** - parking, refuse, fly tipping issues. Called in the application.

6.5 2 letters of objections received:

- Parking concerns/ on road parking issues
- Illegal parking of cars at junctions
- Concern on fly tipping and waste disposal
- Over- concentration of uses
- Impact on community cohesion and fragmentation of area
- Concern over transient nature of residents living in HIMO properties

7. APPRAISAL

Principle of the 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.

Area concentration

7.2 Council records evidence that there are no licensed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 1.23% of concentration in the area. However, there are currently 4 other planning applications that have been received by the Council for a change of use to HIMOs. If all 5 applications were to be approved, 5 HIMOs out of the existing properties (81 total) would result in 6.17% concentration. This would clearly still fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers.

7.3 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 property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable for 4 residents provided that the kitchen layout is changed which is acceptable to the applicant.

Highways / Parking

- 7.4 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly 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.
- 7.5 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 180 metres of the nearest bus stop on St. Leonards Road and within walking distance of local facilities on St. Leonards Road and Towcester Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.6 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.7 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.
- 7.8 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use. As parking requirement for a 2-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.10 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.12 Notwithstanding the fact that there are outstanding applications for HIMOs within the vicinity of the site which may have the potential for cumulative impacts on parking within the locality, in view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld.

Refuse storage

- 7.13 An appropriate condition for bin storage is to be secured to ensure an acceptable level of residential amenity.

Amenity

- 7.9 As the proposed HIMO is no more intensive than say a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

Flood risk

- 7.10 In respect of flood risk the application site is in a high risk flood zone however the applicant has submitted a Flood Risk Assessment which the Environment Agency raise no objections.

Other issues

- 7.11 There is no evidence to suggest that a further HIMO would lead to increased fly tipping. If managed effectively then this can be avoided. Illegal parking is dealt with by Traffic Enforcement Officers rather than Planning.

8. CONCLUSION

The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. There would also not be an adverse impact on flood risk or highway safety.

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: 01 and 02.

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

- 3) The maximum number of occupiers shall not exceed four at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

- 4) Prior to the occupation of the development, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 5) Prior to the occupation of development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

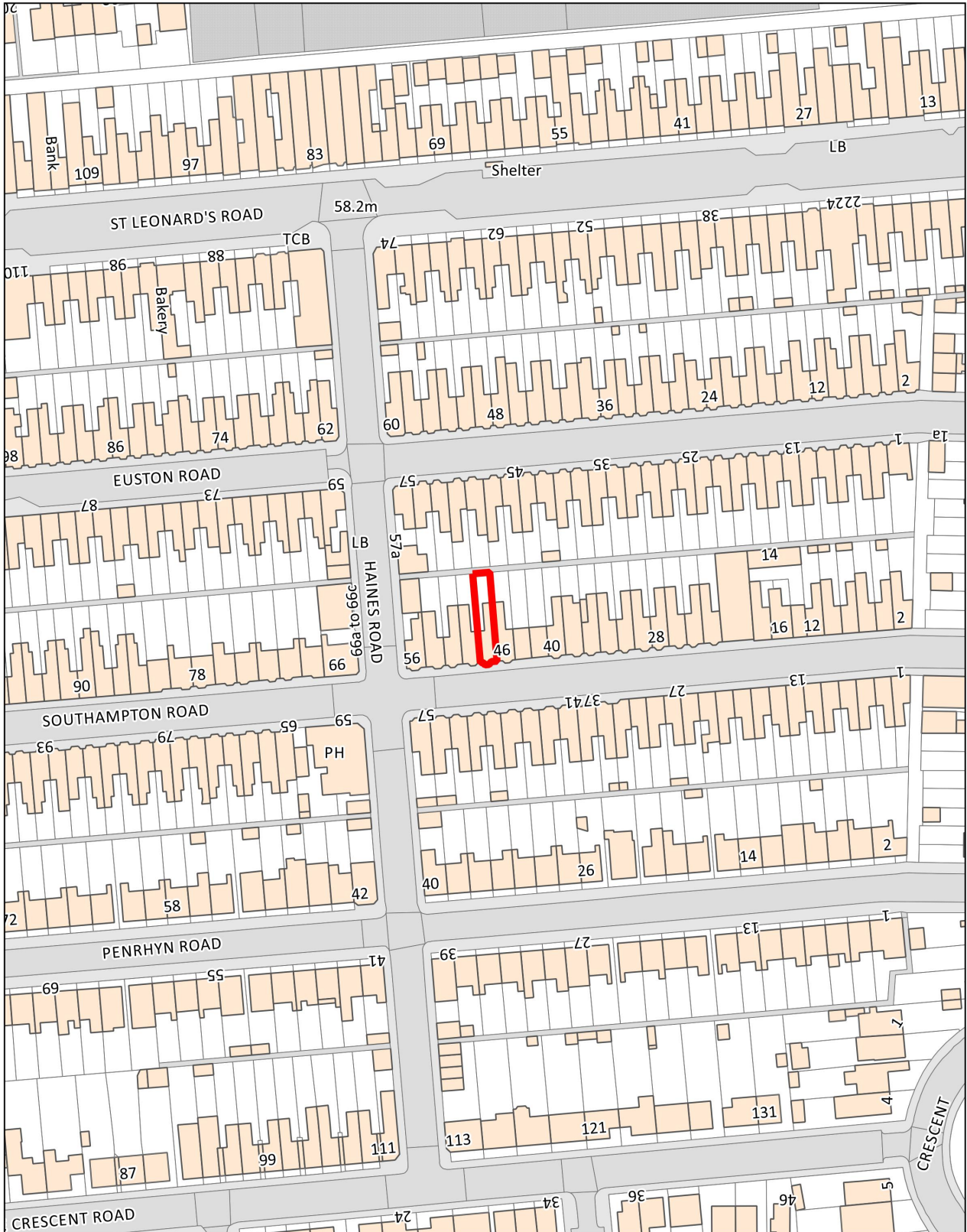
10.1 N/2017/0386

11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable as no additional floor space would be created.

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: **48 Southampton Road**

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Date: 11-07-2017

Scale: 1:1,250

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