

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

**APPLICATION REF:** N/2017/0590

**LOCATION:** 20 Thirlestane Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants with new rooflight

**WARD:** Delapre & Briar Ward

**APPLICANT:** Mr Maheshwari  
**AGENT:** Plan My Property

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

**DEPARTURE:** No

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#### **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 and would provide adequate facilities for future occupants. The site is also in a sustainable location close to local amenities and would provide adequate facilities for cycle storage and refuse storage. There would be no impact on flood risk as the site is not in a high risk flood zone. 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 the change of use of a three bedroom dwelling (Class C3) into a small house in multiple occupation for four occupants (Class C4). The proposed use would include a living room, kitchen, bathroom and single bedroom at ground floor level and three single bedrooms above at first floor level. There would be one new roof window to the front roof slope.

##### **3. SITE DESCRIPTION**

3.1 The application site consists of an end of terrace residential dwelling at corner of Thirlestane Road and Delapre Street. The site has no off-road parking but relies on on-street facility. The property has a long rear garden and is not in a conservation area. The site is not in a flood zone.

#### **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 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.

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 **NCC Highways** No objection. Have considered the applicant's Parking Beat Survey and do not consider that the potential increase in demand resulting from this development would compromise highway safety.

6.2 **NBC Private Sector Housing** no objection given that the property can accommodate 4 occupants.

6.3 **Two letters of support received and 1 letter of objection** received;-

- Concern over sewage disposal
- Query is house suitable for 4 occupants
- Parking concerns
- Use is considered out of keeping with character of the surrounding area
- Wish for assurances that loft space is not used for bedroom accommodation

6.4 **Councillor V. Culbard** parking concerns, noise and fly tipping/waste disposal. Called in the application.

**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 is one other licensed HIMO within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 2 out of 63 properties (1.6%). This would clearly 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 generally to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guide. 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.

**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 and Towcester Road. It is considered that the application site is in a sustainable location within 140 metres of the nearest bus stop on 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 3-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority do not object to the proposal on highway safety grounds having considered the applicant's Parking Beat Survey
- 7.10 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.

#### **Refuse storage**

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

#### **Amenity**

- 7.12 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**

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

#### **Design and impact on appearance and character of the street scene**

- 7.14 As the two proposed front roof light could be installed without needing planning permission then it would be unreasonable to object to this element. In any event, the scale and size is in keeping with the host building and would not impact on neighbour amenity.

### **8. CONCLUSION**

- 8.1 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. It would also not have an impact on flood risk and have an acceptable impact on 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: 20TR/ PP01/01 and 20TR/ PP01/(REV -A)/02.

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

- 3) 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 4) 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.

- 5) 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.

- 6) The loft space shall not be used at any time as bedroom accommodation associated with the approved house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policy H5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

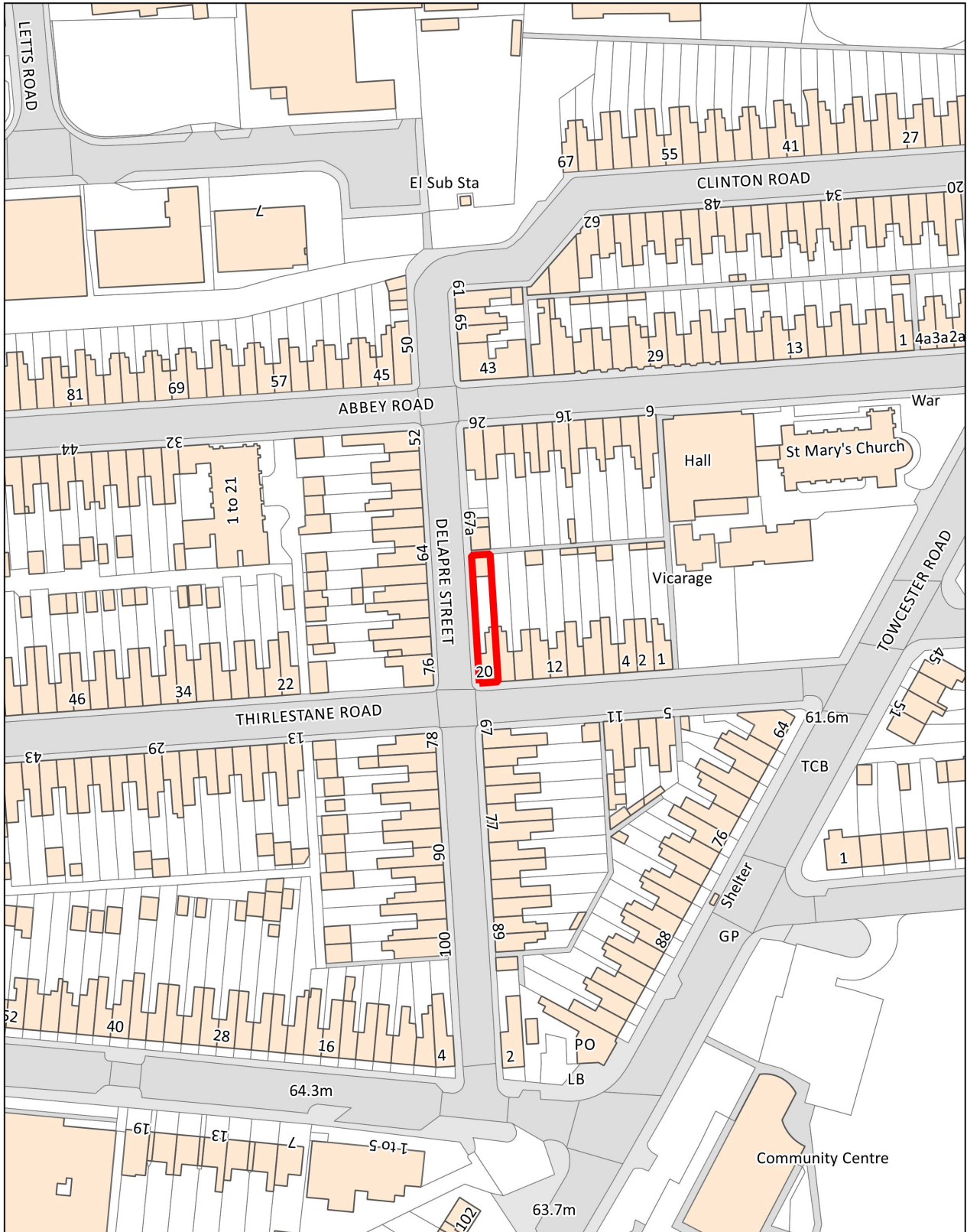
10.1 N/2017/0590

## **11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable as there would be no additional floor space 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: **20 Thirlestane Road**

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Date: 13-07-2017

Scale: 1:1,250

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