

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

**APPLICATION REF:** N/2017/0653

**LOCATION:** 22 Cranstoun Street

**DESCRIPTION:** Change of Use from a Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants

**WARD:** Castle Ward

**APPLICANT:** Mr Wai Keung Chan  
**AGENT:** Mr Wai Keung Chan

**REFERRED BY:** Councillor D Stone  
**REASON:** Overconcentration, refuse and anti-social behaviour 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 and would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to the town centre amenities and would provide adequate facilities for cycle storage and refuse storage. There would be no undue impact on the conservation area also. The proposal thereby complies with Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 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 dwelling (Class C3) to a house in multiple occupation for three occupants (Class C4). There are no external works proposed associated with the conversion.

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

3.1 The site consists of terraced dwelling located along a residential street of similar properties. Parking is provided on-street. The property has private rear amenity space and the site is in the

Booth and Shoe Quarter conservation area. The site is within walking distance of the town centre. 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

##### **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.

Paragraphs 100 to 104 relate to flood risk in determination of planning applications.

Paragraph 132 relates to the impact on heritage assets including conservation areas.

##### **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

BN5 relates to impact on heritage assets and includes development in conservation areas.

#### 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.

E26 Conservation areas - requires development to preserve or enhance the appearance and character of conservation areas

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)  
Northamptonshire Planning out Crime 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** - The property in question is within the Permit Zone E and therefore all parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered to any property as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident within the revised property will be issued with a permit.
- 6.2 **NBC Conservation** - No objection on conservation grounds. On the basis that no external alterations are proposed, the use will have a neutral impact on its historic character and appearance, which derives from the juxtaposition of factories, houses and commercial, social and religious buildings.
- 6.3 **NBC Private Sector Housing** - No objection, property is suitable for 3 persons. The premises will require a separate License.
- 6.4 **Objections from 7 neighbouring properties:**
- Parking
  - Already an over concentration of similar uses in the area
  - Rubbish concerns
  - HIMOs generally not managed properly
  - Increase in anti-social behaviour
  - Noise concerns
  - Loss of family home
- 6.5 **Councillor D. Stone** - impact on parking, area would become saturated by HIMO leading to difficulties with developing community and family life and nuisance caused by fly tipping, littering and anti-social behaviour. 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 are 7 existing HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to 6.4% concentration in the area (8 out of 124 properties). 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 to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 3 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 3 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. The application property is within 10 minutes walking distance of Abington Street, Northampton's main shopping street.
- 7.5 Where parking is not provided in accordance with the above, the IPPS recommends that storage space should be provided which is accessible to cycle users. In this case this can be accommodated at the rear of the house, and a condition is therefore recommended requiring that this should be provided and made accessible to all residents.
- 7.6 On this basis, 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.
- 7.7 These standards indicate that the property should provide a minimum of 3 on-plot parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 2-bed dwelling is 2 spaces. However, the Local Highway Authority are raising no objections, although they have the right to restrict parking permits in the area.
- 7.8 It is considered that the additional impact of the current proposal, in terms of demand for parking, would be marginal. It would thereby be difficult to justify a refusal of planning permission on this basis.

### **Refuse storage**

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

### **Amenity**

- 7.10 As the proposed HIMO is no more intensive than a family dwellinghouse 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.

### **Impact on appearance and character of the Boot and Shoe Quarter Conservation Area**

- 7.11 The Council's Conservation Officers have no objections as no external works are proposed. It is considered that the proposed development would have a neutral impact on the character and appearance of the Conservation Area.

### **Flood risk**

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

### **Other issues**

- 7.13 There is no evidence to suggest that a HIMO would increase anti-social behaviour or would not be managed properly. Again, there is no evidence to suggest that this use would be noisy compared to a family dwelling house.

## **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 without having an undue effect on the conservation area 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: Location Plan, Proposed Floor Plans.

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 Policy 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 the 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 three at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

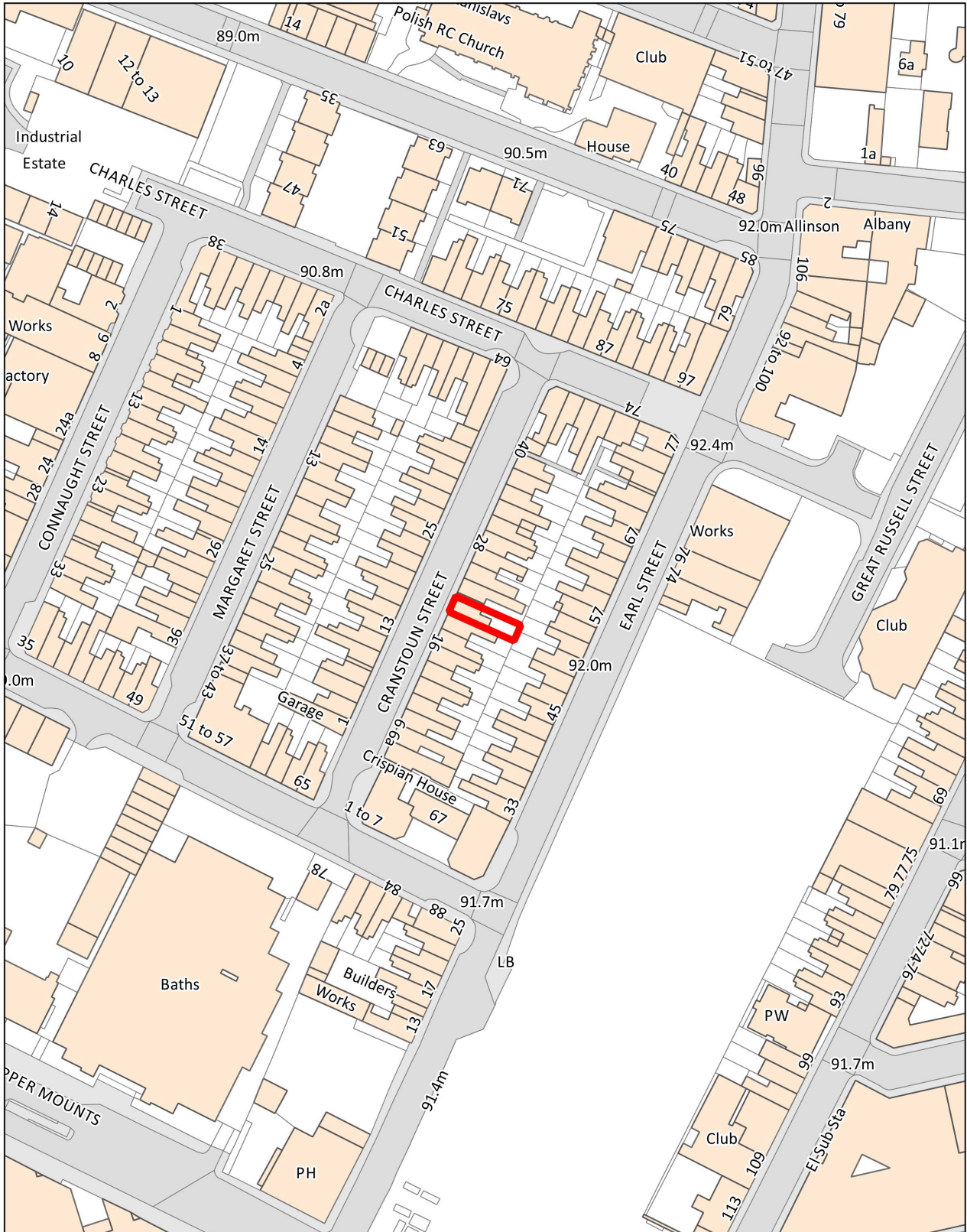
- 10.1 N/2017/0653

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable as there is no new floor space being 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: **22 Cranstoun Street**

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

Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----