

PLANNING COMMITTEE: 26th September 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0998

LOCATION: 56 St Leonards Road

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Jason Footman
AGENT: Apex Planning Consultants

REFERRED BY: Councillor V Culbard
REASON: Parking, noise 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 would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities, and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; Policies E20 and H30 of the Northampton Local Plan; and the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS).

2. THE PROPOSAL

2.1 The applicant has applied for planning permission to change the use of the property from a house, to a House in Multiple Occupation (hereafter referred to as a HIMO) for up to three people.

3. SITE DESCRIPTION

3.1 The application site consists of a terraced house, albeit one that is sited in a predominantly commercial area. Therefore, whilst the precise sitting of the building is within an area identified as

residential within the Northampton Local Plan, the bulk of St Leonards Road is identified as being a local centre. As a consequence, the surrounding area is characterised through a mixture of residential accommodation and various retail and commercial uses. There are a number of bus routes in operation in the surrounding area. The site is also relatively close to the town centre.

4. PLANNING HISTORY

4.1 None.

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:

5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.

5.5 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.

5.6 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:

5.7 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, and the impact on the amenities of occupiers of neighbouring properties.

5.8 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.

5.9 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.

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

5.11 **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:

5.12 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

5.13 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.

5.14 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.15 **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 50 metre 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 storage for refuse and materials for recycling.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environment Agency** – No objections.

6.2 **Highway Authority (NCC)** – No objections.

6.3 **Cllr. V. Culbard** – Requesting that the application be determined by the Planning Committee on the grounds that residents experience problems both with parking, noise and rubbish disposal.

- 6.4 **Cllr. G Walker** – Object to the application; there is no parking on St Leonards Road and will result in the loss of another family home.
- 6.5 Two letters of objection received. Comments can be summarised:
- There is an over concentration of HIMOs in the vicinity
 - Car parking is already limited in the area

7. APPRAISAL

Principle of the development and size of the property/facilities for future occupiers

- 7.1 It is considered that 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.
- 7.2 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 with appropriate room sizes that would be in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, toilet and washing facilities. A condition restricting the use of the property to a maximum of three people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light.
- 7.3 No details have been submitted for cycle storage, but there is suitable space to the rear of the property that can be used for the storage of bins and cycles, the details of which, and their retention, would be required by conditions.

Concentration

- 7.4 The Interim Planning Policy Statement states that, in order to create a good mixture of house types, there should be a maximum of 15% of buildings within a 50m radius being used as HIMOs. The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work, including one carried out in September 2017. Within the 50m radius, there is currently 4 other HIMOs. Therefore, should this development proceed, the resultant number of HIMOs within the 50m radius would be 8.75%. It is appreciated that there are currently 3 other undetermined applications for HIMOs within the 50m radius, but even if these were to be approved, the figure would rise to 10%. In either scenario, the level of HIMOs falls significantly below the maximum threshold enshrined in policy.

Flood risk

- 7.5 Whilst the site is located within a flood zone, no objections have been received from the Environment Agency. As a consequence, it is considered that there would be no significant adverse impact upon flood risk arising from the proposed development.

Highways

- 7.6 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 3 parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.

- 7.7 Given that the number of residents would be limited (by condition) to 3, it is considered that the number of residents would be comparable to those that could occupy the property as a conventional family dwelling. As a consequence, it is considered that the proposal would not result in significantly more vehicle movements to and from the site. Furthermore, no objections have been received from the Highway Authority. For these reasons, it is concluded that the proposal would not result in greater pressure upon on street parking provision or a greater number of vehicle movements.
- 7.8 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that in instances where a site that is close to local amenities and public transport links, 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.
- 7.9 In this particular instance, the site is located directly adjacent to a local centre, which contains an array of retail units (including a supermarket) and other commercial outlets. Furthermore, the site is well served by public transport.
- 7.10 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

- 7.11 No details have been submitted for the location storage. There is sufficient space to the rear of the property for bin storage and a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and its retention.

Amenity

- 7.12 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.

9. CONDITIONS

- 9.1 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: 001; and 002.

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

3. The development hereby permitted shall be occupied by a maximum of three residents 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

4. Notwithstanding the details submitted, full details of refuse and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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.

10. BACKGROUND PAPERS

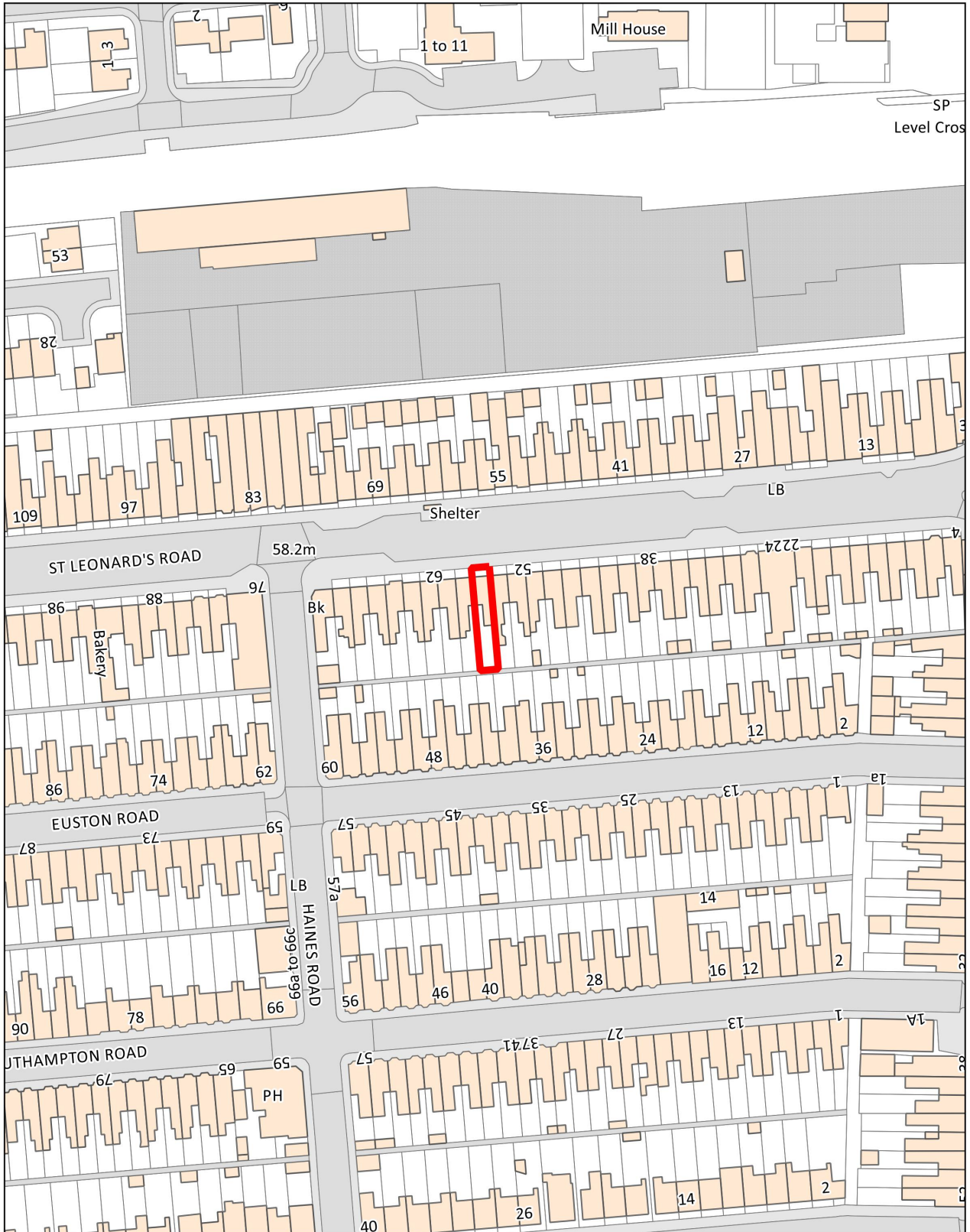
10.1 None.

11. LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

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: **56 St Leonards Road**

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Date: 15-09-2017

Scale: 1:1,250

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