



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

<b>PLANNING COMMITTEE:</b>	<b>21<sup>st</sup> November 2017</b>
<b>DIRECTORATE:</b>	<b>Regeneration, Enterprise and Planning</b>
<b>HEAD OF PLANNING:</b>	<b>Peter Baguley</b>
<b>APPLICATION REF:</b>	<b>N/2017/0695</b>
<b>LOCATION:</b>	<b>46 Guildhall Road</b>
<b>DESCRIPTION:</b>	<b>Change of Use from dwellinghouse (Use Class C3) to house in multiple occupation (Sui Generis) for 7 occupants and 1no. self-contained unit for 1 person</b>
<b>WARD:</b>	<b>Castle Ward</b>
<b>APPLICANT:</b>	<b>TR Simmonds Limited</b>
<b>AGENT:</b>	<b>Eagle Estates</b>
<b>REFERRED BY:</b>	<b>Councillor D Stone</b>
<b>REASON:</b>	<b>Intense population of the area</b>
<b>DEPARTURE:</b>	<b>No</b>

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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 proposal would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed. In addition, the proposal would preserve the character of the conservation area. As such, the proposal would be in accordance with the requirements of Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

**2.1** Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Sui Generis) for 7 people and one self-contained basement flat for 1 person. No external alterations are proposed to the property. No off-street parking is provided.

**3. SITE DESCRIPTION**

**3.1** The application site comprises a substantial mid-19<sup>th</sup> century terraced house, four storeys high with a basement, dormer windows and mansard style slate roof. The property faces directly onto

the street and has a rear garden. The site is within the Derngate Conservation Area and is one of a terrace of properties extending down to St Johns Street. North of this terrace of dwellings is the Vulcan Works. Other properties nearby consist of Bloomsbury House, Bassett House and St Johns House which are all blocks of flats and St Johns Hall which consists of student accommodation.

#### **4. PLANNING HISTORY**

4.1 N/2003/0863 – Change of use from shop to single dwelling – Approved.

4.2 N/1986/0863 – Change of use of first, second and third floors from office to dress hire agency – Approved.

#### **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 Central Area Action Plan (2013).

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:

Paragraphs 6, 7, 8 and 14 - set out that the presumption in favour of sustainable development.

Paragraph 17 - details the core planning principles and these include to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 32 - details that decisions should take account of whether safe and suitable access to the site can be achieved for all people and that development should only be refused on transport grounds where the impacts of development are severe.

Paragraph 47 – Local planning authorities are required to meet objectively assessed needs for housing and identify deliverable sites to provide 5 years' worth of housing with a 5% buffer.

Paragraph 49 – Residential applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 – To deliver a wide choice of quality homes and widen opportunities for home ownership and create sustainable, inclusive communities, planning authorities should plan for a mix of housing based on current and future demographic trends.

Paragraph 56 – Good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 131 – In determining planning applications, the desirability of sustaining and enhancing the significance of heritage assets should be taken into account.

Paragraph 132 – Great weight to be given to conservation of heritage assets.

### 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:

SA Presumption in favour of Sustainable Development.

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.

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.

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 BN5 - Designated & non-designated heritage assets and their settings will be conserved and enhanced.

### 5.4 **Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Strategic Objective 7: Repopulate the Central Area.

Policy 1 – All new development must demonstrate a high design standard and address design objectives including preserving and enhancing the character and appearance and setting of the central area's heritage assets and in the conservation areas pay suitable regard to the adopted Conservation Area Appraisals and Management Plans.

### 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 50metre 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.

The Dergate Conservation Area Appraisal and Management Plan is also a material consideration.

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments originally received are summarised as follows:

- 6.1 **Councillor D Stone** - raises objection due to the intense population of the area by transient populations. Called in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – the development does not meet the Northamptonshire Parking Standards 2016 with regards to on-plot parking provision. It is noted however that this within the town centre and is therefore a relatively sustainable location. Furthermore, it is located within a controlled parking zone and there are no unrestricted areas of on-street parking within a reasonable walking distance that would be affected. The Local Highway Authority has no objection to this application.
- 6.3 **Private Sector Housing (NBC)** – this property is the subject of a current HIMO licence application. The submitted scheme has been assessed and is suitable for licensing for 8 occupants.
- 6.4 **Conservation Officer (NBC)** – considers that the proposed use will have a neutral impact on the character and appearance of the conservation area. No objection.
- 6.5 **Town Centre Conservation Advisory Committee** – object to the proposal as it would result in the loss of a suitable family residence. Consider it is an over intensive use of the building. State that the proposal needs to be assessed against the HIMO SPD and in relation to the collection of applications for apartments and flats in this area of the town centre.
- 6.6 **One neighbour objection** has been received. These objections are summarised as follows:
- Insufficient waste management information/solution. The Council waste management system is insufficient and a better system is needed for the area. Exacerbation of existing issues.
  - Parking congestion and further strain on the parking situation in the town centre.
  - The proposal for an 8 bed HIMO lacks sufficient shared living space. States that if quality living accommodation is provided it will attract better quality tenants.

- Asks that planners look at all proposals for the area. Considers there is an opportunity to improve the area for everyone by providing rear access to 40, 42, 44 and 46 Guildhall Road to provide improved facilities for refuse storage and cycle storage.

6.7 **Highway Authority (NCC)** – no objection.

6.8 **Private Sector Housing (NBC)** – this scheme is the subject of an application for HIMO licence for 8 occupants in 8 households, which includes the self-contained basement flat. The accommodation and facilities are considered suitable for the proposed occupancy and it is anticipated that the licence will receive approval in the near future.

## 7. APPRAISAL

### Principle of the development

7.1 The conversion of the existing dwelling to a 7 bed HIMO and one self-contained flat is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H1 of the Joint Core Strategy states that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Policy H5 allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas. The Central Area Action Plan also encourages town centre living. It is considered, therefore, that the use is acceptable in principle.

### Area concentration

7.2 Records indicate that there is one other HIMO use approved within a 50m radius of the application site. It is estimated that within the said radius it contains at least 100 residential properties. The concentration of HIMOs i.e. 2% would clearly fall below the 15% maximum threshold recommended in the adopted Interim Planning Policy Statement in relation to HIMOs. It is therefore considered that the proposed use would be appropriate in this location.

### Amenities for future occupiers

7.3 The aims of NPPF is for 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 with appropriate kitchen/dining, WC and wash facilities. With regard to the basement flat, this would provide an open plan bedsit arrangement with a separate WC, shower room, utility and storage and its own rear access, via steps, to the rear garden. A condition restricting the use of the property to a maximum of 8 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that the amended scheme is suitable for licensing for 8 occupants.

7.4 No details have been submitted for refuse and cycle storage although the applicant has indicated that covered areas will be provided in the rear garden. There is adequate space to the rear of the property for this, the details of which would be required by conditions.

### Neighbour Amenity

7.5 Whilst the number of occupants is relatively high, there is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour. 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.

## **Highways/Parking**

- 7.6 The application proposes no on-site parking provision however the Interim Planning Policy Statement for HIMO's (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.
- 7.7 The application property is located within Northampton Town Centre and is therefore well served by local facilities and public transport. Cycle storage can be provided in the rear garden and secured by condition. The Highway Authority does not object to the application due to the sustainable location of the site. The proposal is, therefore, in compliance with this principle of the IPPS.

## **Flood Risk**

- 7.8 The site falls outside Flood Zones 2 and 3 and as such the proposal has no flood risk implications.

## **Heritage Assets**

- 7.9 The application property is located in Derngate Conservation Area. Special attention must be paid to preserving or enhancing the character or appearance of a conservation area, with great weight given the conservation of heritage assets. In this instance there are no proposals for any alterations to the front elevation. As such the proposal will have a neutral impact on the conservation area and is acceptable in this regard.

## **8. CONCLUSION**

- 8.1 The proposal would not lead to an unacceptable concentration of HIMO's 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. The property is of sufficient size to accommodate the level of accommodation as proposed. In addition, the proposal would preserve the character of the conservation area. As such, the proposal would be in accordance with the requirements of Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

## **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: Site Location Plan, Existing Plans, Proposed Plans (Amended Plans received 9/10/2017).

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 eight 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. Prior to the bringing into use of the building for the approved use, 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 development being first brought into use 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.

5. Prior to the bringing into use of the building for the approved use, provision shall be made for the secure and covered parking of bicycles. Full details 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**

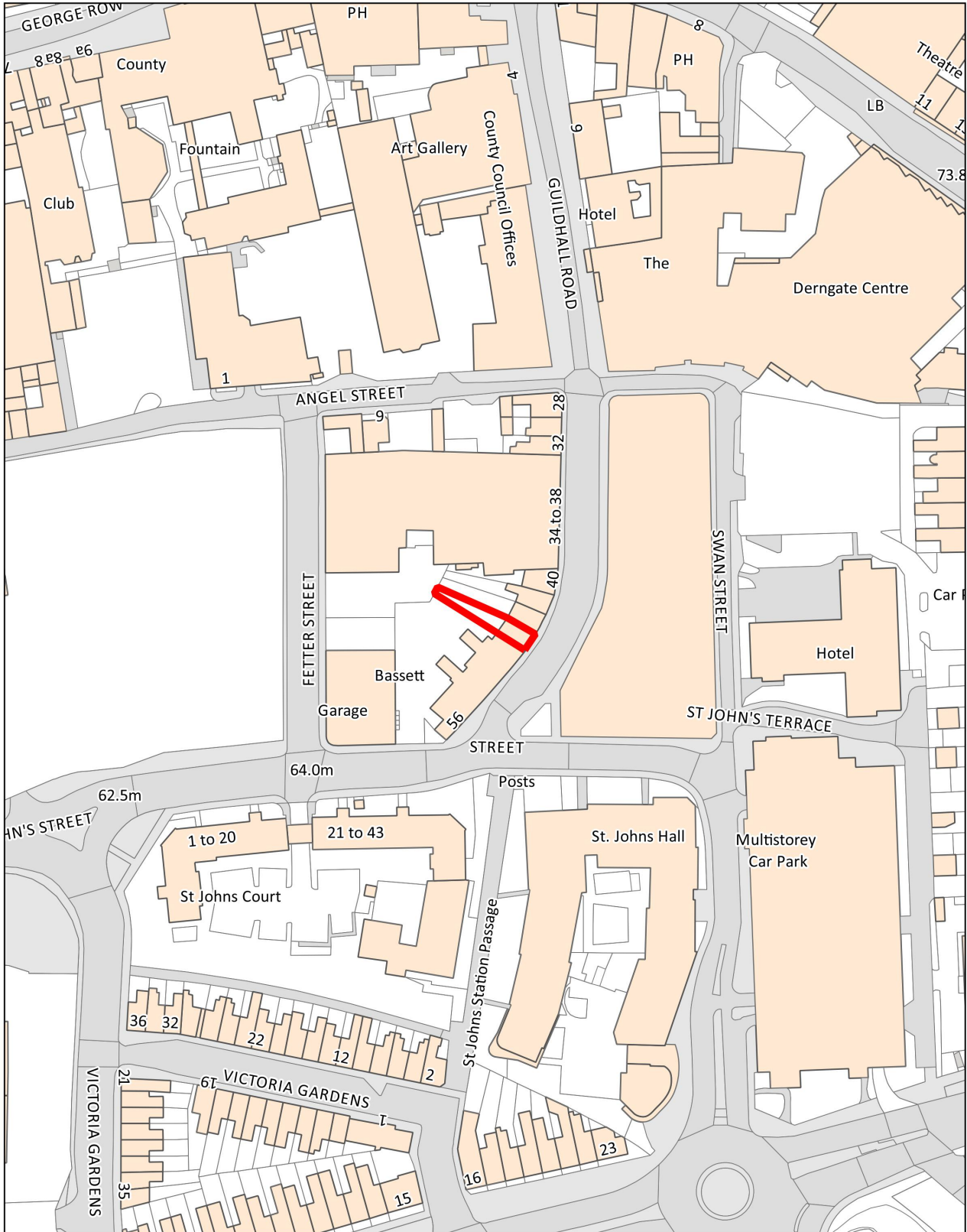
- 10.1 N/2017/0695.

## **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: **46 Guildhall Road**

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Date: 09-11-2017

Scale: 1:1,250

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