

PLANNING COMMITTEE:	21st November 2017
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2017/1153
LOCATION:	48 Poole Street
DESCRIPTION:	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants - retrospective
WARD:	Castle Ward
APPLICANT:	Mr Simon Drew
AGENT:	Mr Simon Drew
REFERRED BY:	Councillor D Stone
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 would not be at risk from flooding. The site is in a sustainable location close to local amenities and could provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 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 the premises from a three bedroom dwellinghouse to a four person House in Multiple Occupation. This is a retrospective application.

2.2 The premises comprise a bedroom, dining room, kitchen and bathroom on the ground floor and three further bedrooms on the first floor. No external alteration is proposed.

3. SITE DESCRIPTION

- 3.1 The application site consists of a two storey terraced house within a street of similar properties. Parking is provided on-street.

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) and 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.

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.

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 **Councillor Danielle Stone** – Requests the application is called in on the grounds that it will undermine the character of this small street and add to the pressures the residents are under in terms of creating community, dealing with fly tipping and litter, parking and anti-social behaviour.
- 6.2 **NBC Conservation** - No objection on conservation grounds. The proposed use will have a neutral impact on the historic character and appearance of the Boot and Shoe Quarter Conservation Area.

- 6.3 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO meets the requirements for a four occupant HIMO.
- 6.4 **Local Highway Authority** – The property in question is within a Permit Zone and therefore all parking in the vicinity is controlled. It is far enough away from any unrestricted parking that the demand generated by this property will not impact outside of the zone. 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.
- 6.5 **Town Centre Conservation Area Advisory Committee** – Regret heavily the loss of a good family unit in the conservation area.

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 5 other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to a 6% concentration in the area. 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/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms are served by adequate outlook and light.

Flood risk

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

Highways / Parking

- 7.5 Principle 3 of the Interim Planning Policy Statement states that HIMOs with limited or no parking provision must be located within 400m of a bus stop or within walking distance of facilities in a local or district centre or neighbourhood shopping parade.
- 7.6 In this case the nearest bus stops in Barrack Road are just over 400m away, however the site is within a very short walking distance of limited local facilities at Bailiff Street, which includes a convenience store, two takeaways and a public house and is also a reasonable walking distance

to other small neighbourhood centres and is just over half a mile from the edge of the town centre.

- 7.7 The requirement is only to be either within 400m of a bus stop or within walking distance of local amenities and the change of use is therefore in compliance with this principle. 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 HIMOs 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 space compared to the previous dwelling, as the parking requirement for a 3-bed dwelling is 2 spaces.
- 7.9 The Local Highway Authority has not objected to the proposal given that the site is within a permit zone and the number of permits can be controlled, and the fact that parking outside of this zone is unlikely to occur.
- 7.10 A condition is proposed to secure appropriate cycle storage, which can be provided in the rear yard area. The applicant has confirmed that this will be provided.

Refuse storage

- 7.11 As with cycle storage, there is space within the rear garden area for refuse storage within the rear garden / yard area and a condition requiring details of such provision is recommended. The applicant has confirmed also that this will be provided.

Amenity

- 7.12 The use as a HIMO falls within Use Class C4, which in effect categorises this as a residential use. It is not considered 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. Indeed, without the Article 4 Direction, planning permission would not be required for the change of use. Consequently, it is not considered that any 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 change of use complies with the requirements of the Interim Planning Policy Statement on HIMOs, and does not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. In respect of parking and highway safety it is considered that the proposal complies with the IPPS in relation to parking considerations and given that the site is in a controlled parking area and close to local amenities, the change of use is considered acceptable in this regard. The proposal is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Ground and First Floor Plans.

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

- (2) Within one month of the date of this decision, full details of facilities for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details which shall be fully implemented within one month of the approval thereof.

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.

- (3) Within one month of the date of this decision, 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 which shall be fully implemented within one month of the approval thereof.

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.

- (4) The development hereby permitted shall be occupied by a maximum of four 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.

10. BACKGROUND PAPERS

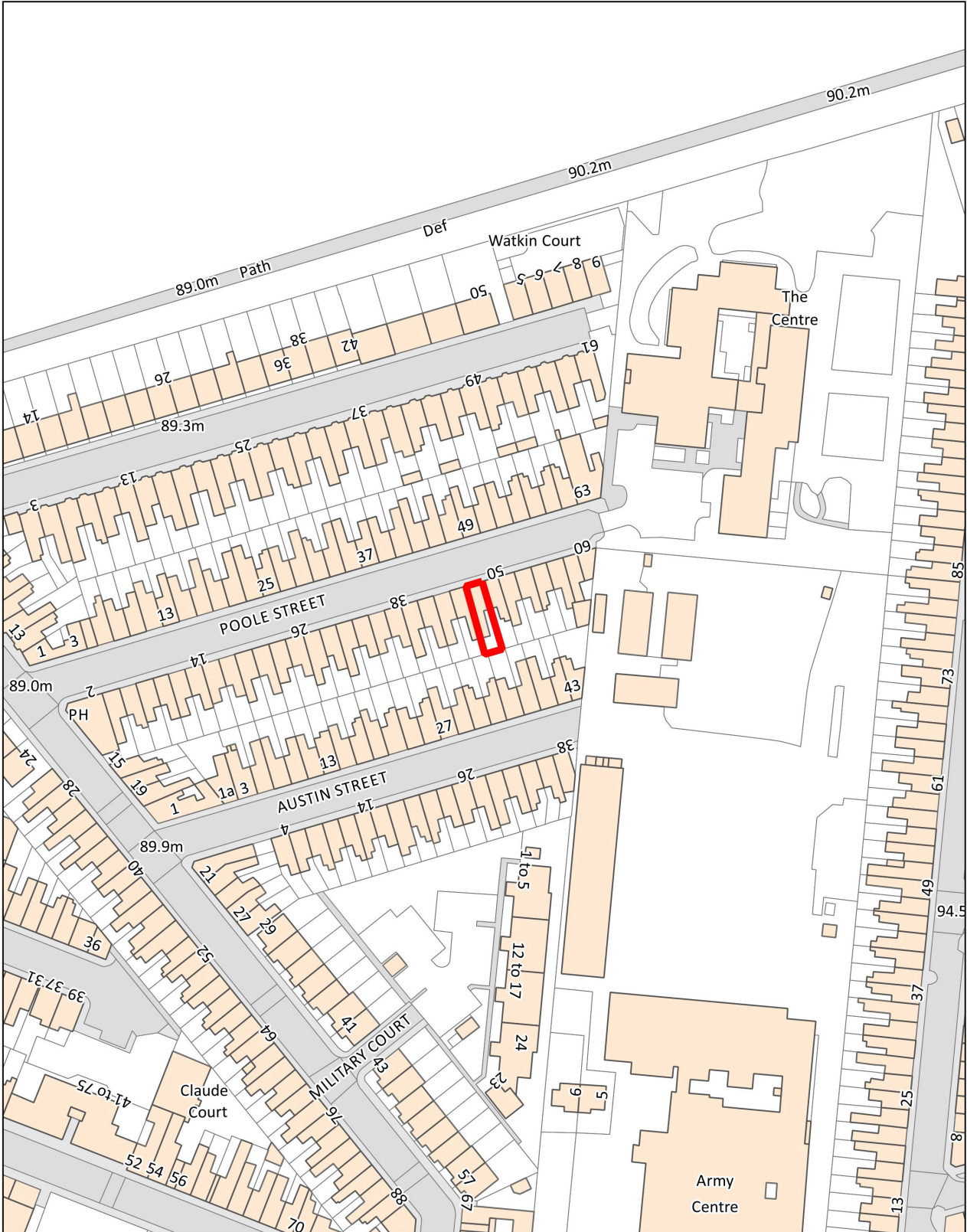
- 10.1 Application file N/2017/1153.

11. LEGAL IMPLICATIONS

- 11.1 The development is 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: **48 Poole Street**

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Date: 09-11-2017

Scale: 1:1,250

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