

PLANNING COMMITTEE: 13th February 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1567

LOCATION: 23 Billing Road

DESCRIPTION: Change of Use from Offices (Use Class B1) to House in Multiple Occupation (Sui Generis) for 10 occupants

WARD: Castle Ward

APPLICANT: Albion Properties
AGENT: Architectural Solutions

REFERRED BY: Councillor D Stone
REASON: Impact on parking, character and amenity

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, would not be at risk from flooding and would not unduly impact on the character of the street scene or conservation area. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to Wellingborough Road, the town centre, bus services and amenities and would provide adequate facilities for cycle and refuse storage. The proposal thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved 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 Change of Use from Offices (Use Class B1) to House in Multiple Occupation (Sui Generis) for 10 occupants. No external alterations are proposed.

3. SITE DESCRIPTION

3.1 The site is a large 19th century three storey mid-terrace Victorian property, within the Billing Road Conservation Area.

- 3.2 The current use of the site is offices, the building has two of the ten office suites currently occupied. The adjoining properties are a mix of commercial and residential, with the end terrace, No. 27 Billing Road, in use as a HIMO.
- 3.3 The terrace of properties has a courtyard parking area to the rear accessed from Cyril Street. The application proposes the provision of three off street parking spaces for the residents to the immediate rear of the application site.
- 3.4 The site is located on the northern side of Billing Road close to Northampton General Hospital and directly adjacent to the site Beaumont House, a disused office building currently under re-development to residential use.
- 3.5 Although the site lies within an area affected by both a Non-Immediate Article 4 Direction area restricting change of use to a HIMO, and within an Article 4 Direction area restricting external alterations, both Directions relate to premises which are in use as dwellings, and are therefore not specifically relevant to the application property used as an office.

4. PLANNING HISTORY

- 4.1 N/2003/0915 – Change of use to Class B1 (a) Office (Financial and Professional Services). Approved 20.08.2003.

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 – Core Principles – seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraphs 49 and 50 encourage proposals for sustainable housing development and seek to provide a variety of house types to meet a wide range of differing housing needs.

Paragraph 132 – great weight should be given to the conservation of a designated heritage asset, attaching greater weight in accordance with its importance.

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

Policy H5: Managing the Existing Housing Stock

Policy S10: Sustainable Development Principles

Policy BN5: The Historic Environment

Policy BN7: Flood Risk

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 (Design)

Policy E26: Conservation Areas Development

Policy H30: Multi-occupation with a single dwelling

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Billing Road Conservation Area Appraisal 2011

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 **Conservation (NBC)** – no objection on conservation grounds. The property was built as a substantial family house and, although conversion back to a single dwelling or a smaller number of larger apartments would be more in keeping with the historic character of the property, use as a HIMO will have a neutral impact on Billing Road Conservation Area. No external alterations are indicated and the proposal will not harm the appearance of the Conservation Area.
- 6.2 **The Northampton Town Centre Conservation Advisory Committee** – the proposals represent an over development as the living space will be limited. The bin/cycle store is of poor design, there are some fine internal features such as fireplaces that should be retained.

- 6.3 **Highway Authority (NCC)** - The property is within a Permit Zone and therefore all parking in the vicinity is controlled. The Local Highway Authority (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.
- 6.4 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO would meet the requirement for a ten occupant HIMO.
- 6.5 **Councillor D. Stone** – concerned about the increase in parking pressures, intrusion on the local amenity of neighbouring properties, an increase in transience, and loss of balance and cohesiveness in the locality.
- 6.6 **Petition from 18 local residents and 3 individual neighbour objections** have been received. The concerns raised are summarised as follows:
- Historic quality of building will be severely diminished
 - Car parking is limited behind the site and in the local area
 - Over population of historic building detriment to area
 - Over population of historic building detriment to the conservation area
 - Erosion of general standards of the town
 - Effects on retention of professional companies in the area
 - Additional HIMO detrimental to established business area
 - Disagree that business use is not viable as 24,25 and 26 Billing Road are fully occupied by business and have been for many years
 - Increase in refuse and fly tipping
 - Lack of social cohesion
 - Considerable amount of HIMOs in area
 - Security and noise disruption

7. APPRAISAL

Principle of Use

- 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 The surrounding area is predominantly residential in character, with some of the properties facing onto Billing Road in commercial use. Council records indicate that there are 3 other HIMOs within a 50m radius of the application site. The addition of a further HIMO as proposed would lead to a concentration of 12.5%. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement (IPPS) in relation to HIMOs. As such, the HIMO proposed would not lead to any significant impact on the character and amenity of the surrounding area as a result, and the principle is therefore considered acceptable.

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 10 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 occupation by 10 residents.

- 7.4 Details have been submitted for cycle storage and bin storage which will be located at the rear of the property, within the central courtyard parking area, and a condition is recommended accordingly to secure appropriate provision.

Highways/Parking

- 7.5 The 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.
- 7.6 The application sites benefits from three parking spaces to the rear of the site which are accessed via Cyril Street. The nearest bus stop is located on Billing Road approximately 47m from the property and is within approximately a 6 minute walk to the facilities on Wellingborough Road, and 0.5 miles from the Town Centre. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such area, the IPPS recommends that storage space should be provided which is accessible to cycle users. The plans indicate that cycle storage will be provided to the rear of the site, and a condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.8 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.
- 7.9 The Northamptonshire Parking Standards state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom and where the proposal is less than this requirement, the LHA will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated. In this instance, the LHA did not requested a parking beat survey as the area is within a parking permit zone. The LHA raise no objection, but advise that they hold the right to restrict the number of permits issued.
- 7.10 The current layout of the property is divided into 10 offices with a general parking area to the rear of the site appearing to be shared with the adjoining terraces. The Northamptonshire Parking Standards for B1 (office) use is 1 space per 30 sq.m, therefore, the current requirement for parking provision for the existing office use would be 9.5 spaces. In comparison, the proposed HIMO would produce a requirement for 10 spaces. The proposal includes the provision of 3 allocated parking spaces, located to the rear of the site. It is considered that a comparable, if not greater, number of vehicles could be associated with the existing use as an office in comparison to the number of occupants proposed for the HIMO. In addition, there is no evidence to support that all residents would own cars. As such, it is not considered that the proposal would be likely to result in any significant increased impact on parking provision to that arising from the existing use.
- 7.11 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.

- 7.12 It should also be noted that in the most recent appeal decision issued on 30th January 2018, the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.13 In view of the recent appeal decisions, having regard to the sustainable location of the site, the comparison with the existing use, and that there is sufficient room to provide an element of parking provision and provide cycle storage, it is considered that the proposal would not lead to any adverse impacts in respect of parking provision or existing highway conditions.

Amenity

- 7.14 All the bedrooms are of reasonable sizes and would meet the requirements for a HIMO. The bedrooms measure between approximately 16 sq.m to 30 sq.m in floor area. The standards require at least 8.5 sq.m for a single occupant and 14 sq.m for two occupants where a separate living is not provided which is not a kitchen/dining room.
- 7.15 Although the proposal may result in additional comings and goings beyond the existing use, and generate increased activity and noise, the site is in a prominent location on Billing Road which is a main route through Northampton, and close to the hospital and the town centre, and therefore an area of reasonably high activity. As such, it is not considered the proposal would lead to any undue adverse impact on the amenities of existing adjoining residential or commercial occupiers.

Impact on the Conservation Area

- 7.16 The proposal does not involve any external alterations to the building and it is considered the proposal would have a neutral impact on the character and appearance of the Billing Road Conservation Area.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of IPPS, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal would not lead to any undue adverse impacts on parking provision, adjacent amenity or the character and appearance of the Conservation Area, and is in accordance with the requirements of both national and local planning policy and guidance.
- 8.2 There are no external alterations proposed to the building and it is therefore considered there are no adverse impacts on the Billing Road Conservation Area
- 8.3 The proposal is therefore recommended for approval subject to the following conditions.

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: 17/P229/2b.

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 ten 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 first use of the premises hereby permitted, full details 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. Prior to first use of the premises hereby permitted, 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. 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.

10. BACKGROUND PAPERS

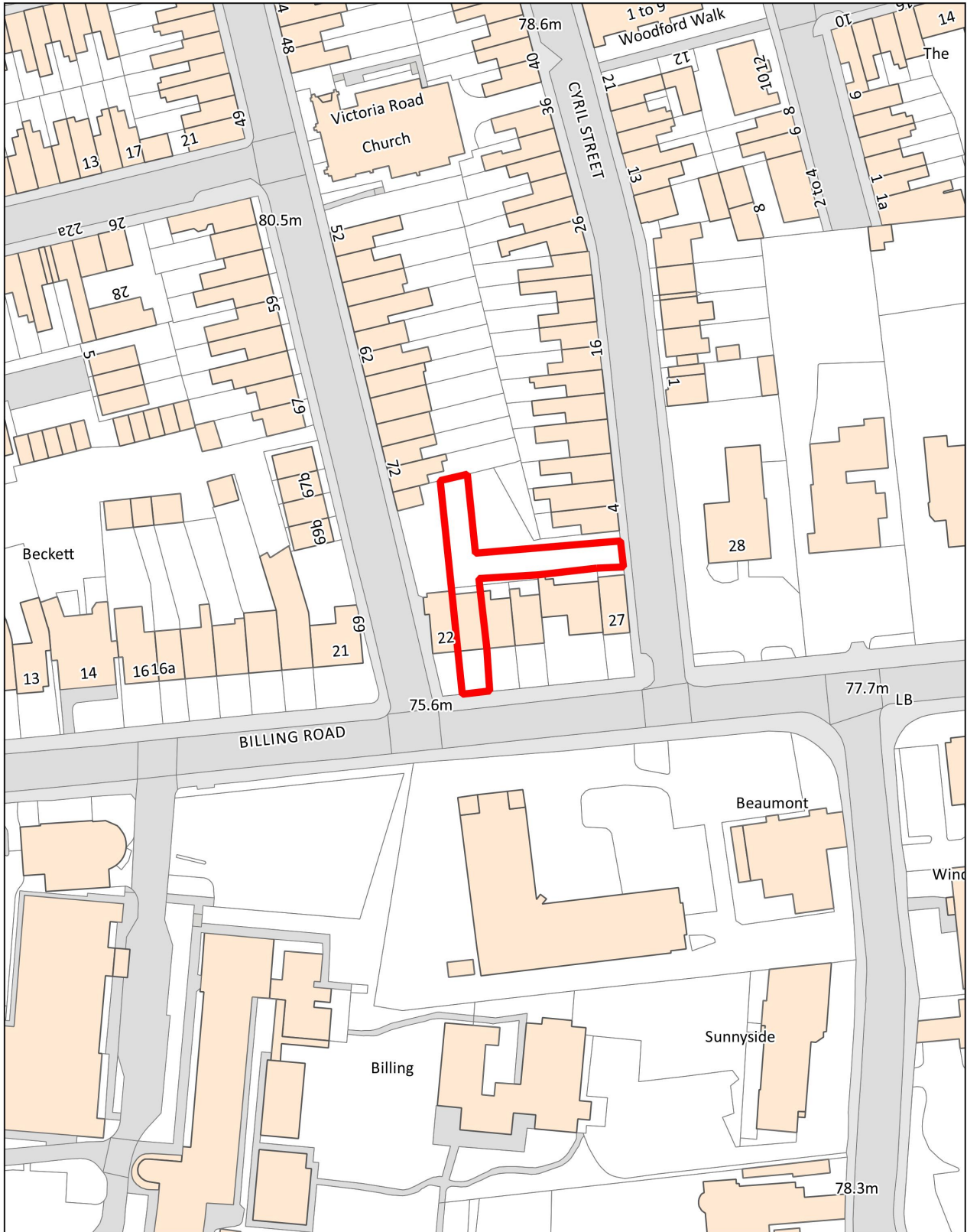
- 10.1 N/2017/1567.

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.



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Date: 02-02-2018

Scale: 1:1,000

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