



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

APPLICATION REF: N/2017/1639

LOCATION: 60 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 A Dawett
AGENT: Architectural Solutions

REFERRED BY: Councillor V Culbard
REASON: Impact on parking and refuse

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 overconcentration 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 bus stops and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5, BN7 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 an existing two bedroom dwelling to a house in multiple occupation for three residents. This would be achieved by converting the existing first floor bathroom into a bedroom and providing a new shower room at ground floor level. Parking would be on-street, cycle storage is proposed to be provided.

3. SITE DESCRIPTION

3.1 The application site comprises a two bedroom terraced house within a street of similar properties, which also includes a significant number of commercial premises, within the St Leonard's Road local 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) and 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:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

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.

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 H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

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 **Private Sector Housing** - The room sizes and facilities shown are sufficient for a three occupant HIMO, subject to provision of an additional fire door and smoke alarm.
- 6.2 **Highway Authority (NCC)** – No comment to make.
- 6.3 **Environment Agency** – No objections
- 6.4 **Councillor V Culbard** – Calls in the application. This is already a very busy road with great difficulties with parking, rubbish disposal and volume of noise.
- 6.5 Representations received from the occupants of three nearby properties, the comments of whom are summarised as follows:
- Parking is already a problem due to the amount of extra vehicles.
 - Have heard that Far Cotton already has its maximum amount of HIMOs
 - Residents in Far Cotton have had enough, concerns need to be listened to.
 - Due to an excess of these type of applications the whole fabric of the area is being undermined.
 - Rubbish being dumped in the street is also a common problem.
 - There seems to be a distinct rise in crime and anti-social behaviour since these type of property started to appear a few years ago.
 - Far Cotton is becoming an area of rental properties.
 - Residents and landlords take no pride in the upkeep of properties.

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 currently six recorded HIMOs within a 50m radius of the application site. The use of the application premises as a HIMO also would therefore equate to a 9% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement (IPPS) in relation to HIMOs. It is considered, therefore, 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 the 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/living, 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. It has been confirmed by Private Sector Housing that the accommodation proposed would be acceptable for 3 residents subject to satisfactory fire door and smoke alarm provision. There is ample space within the rear garden for bin storage to be provided and this is indicated on the submitted plan. A condition is recommended, requiring that this is in place as indicated prior to the occupation for the proposed use.

Flood risk

- 7.4 In respect of flood risk, the application site is within Flood Zones Two and Three and therefore identified as being at risk from flooding. In this particular case no ground floor sleeping accommodation is proposed and therefore the risk to residents is considered to be sufficiently mitigated as this would be no greater than that of neighbouring residents in non multi-occupancy housing. The comments from the Environment Agency indicate no objection.

Highways / Parking

- 7.5 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.
- 7.6 The nearest bus stop is located opposite the premises whilst the property is also within the St Leonard's Road local centre, which features a wide range of facilities. Under the provisions of the IPPS there is therefore no requirement for parking to be provided.
- 7.7 Within such sustainable locations, the IPPS recommends that storage space should be provided which is accessible to cycle users. This is indicated in this case as to be provided within the rear garden, in purpose made cycle sheds. A condition is recommended to secure appropriate provision.
- 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 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 the parking requirement for a 2-bed dwelling is 2 spaces.

- 7.10 In this case, there has been no objection from the Local Highway Authority, but concerns have been raised in objections from local residents, due to current issues with demand for parking.
- 7.11 In considering these comments, regard must be had not only to the IPPS as quoted above but also to the current use of the property as a two bedroom dwelling, which includes one very large bedroom which could potentially be subdivided, whilst the bathroom could also be converted to a bedroom, as proposed in the current application. This could potentially result in a four bedroom property with four or five car owning residents, if the property was occupied by a family of two parents and two or three children of driving age. Even if all three residents of the HIMO had cars, this would not result in any additional cars above this scenario and there is no evidence to demonstrate that all 3 residents of the proposed HIMO would own cars.
- 7.12 Furthermore, regard must be paid to previous appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities, 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.
- 7.13 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.
- 7.14 In view of the recent appeal decisions, the sustainable location of the application site, the number of occupants proposed, that there is sufficient room within the site to provide secure bicycle storage, and bearing in mind the requirements of the IPPS, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact 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 and would accord with the relevant requirements of both national and local planning policy and guidance.
- 8.2 The proposed development is 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/D156/2b

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

3. Notwithstanding the submitted details, 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 prior to the first use of the development hereby permitted. Development shall be carried out in accordance with the approved details prior to occupation and 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.

4. Notwithstanding the submitted details, 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 prior to the first use of the development hereby permitted. Development shall be carried out in accordance with the approved details prior to occupation and 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.

5. 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.

10. BACKGROUND PAPERS

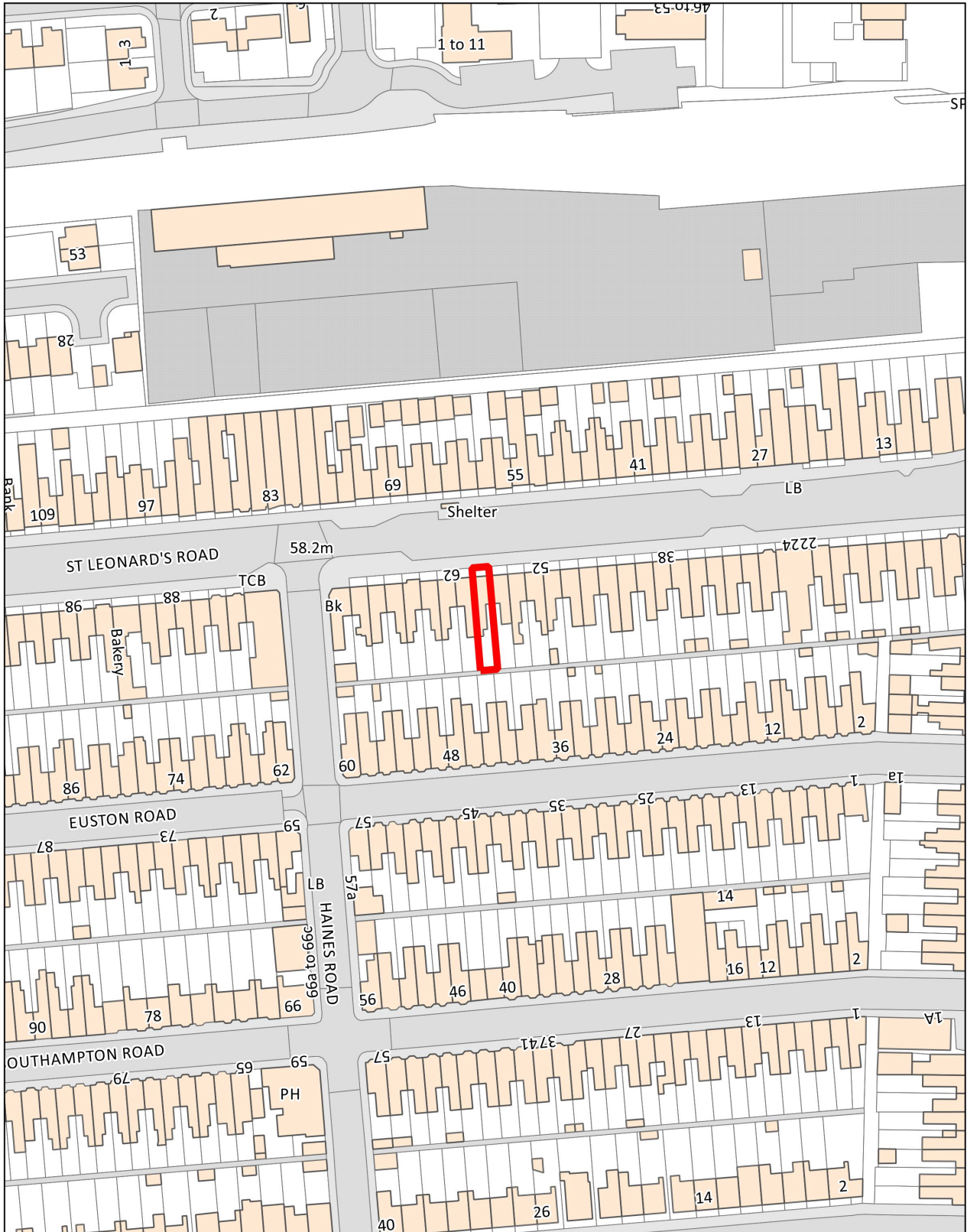
- 10.1 Application file N/2017/1639

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: **60 St Leonards Road**

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Date: 02-02-2018

Scale: 1:1,250

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