

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

APPLICATION REF: N/2018/0092

LOCATION: 29 Lutterworth Road

DESCRIPTION: Change of use from dwelling (Use Class C3) to House in Multiple Occupation for 5 occupants (Use Class C4)

WARD: Abington Ward

APPLICANT: Ms P Hunt
AGENT: Pat Dooley

REFERRED BY: Councillor D Stone
REASON: Pressure on parking

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, would not be at risk from flooding and would not adversely impact on parking. 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 Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved 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 Change of use from dwelling (Use Class C3) to House in Multiple Occupation (HIMO) for 5 people (Use Class C4).
- 2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for a change of use from a dwelling to a HIMO.
- 2.3 One parking space will be provided on site in the form of a garage space.

3. SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced property on Lutterworth Road, located in a residential area with similar terraced properties on both sides of the street.
- 3.2 The property has a lounge, dining room and kitchen with a WC off the kitchen on the ground floor, the first floor has three bedrooms and bathroom.
- 3.3 The site is in close proximity to facilities on Wellingborough Road, which contains a variety of retail units and access to bus routes.
- 3.4 The application site does not lie in a Flood Zone.

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:

Paragraph 17 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.

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
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

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 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 **Highway Authority (NCC)** – requested a parking beat survey be undertaken, to establish demand for on street parking within the immediate area of the site.
- 6.2 **Councillor D Stone** – Called the application in on the grounds of parking pressures.
- 6.3 **Private Sector Housing (NBC)** – has advised that the room sizes, amenities and facilities on the submitted plans indicate that the proposed HIMO would meet the requirements for a five occupant HIMO.
- 6.4 **2 representations** have been received from a neighbouring property, the comments of which are summarised as follows:
- Increased parking issues
 - Anti-social issues
 - Over-use of the old sewage system
 - Increased rubbish
 - Increased noise

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 indicate that there are 9 confirmed HIMOs on Lutterworth Road within a 50m radius of the application site. The use of this property as a HIMO would equate to less than a 13.8% 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 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 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 bedroom sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen, living room, and bathroom facilities. In addition, Private Sector Housing has assessed the planning application and raised no objections. Conditions restricting the use of the property to a maximum of 5 people and preventing the use of the cellar as a bedroom would ensure overdevelopment does not occur and a good standard of amenity for future occupiers.
- 7.4 Details have been submitted for bin storage and secure covered cycle area, these will be provided to the rear of the site, within the communal amenity area, which is accessed via the kitchen/dining room.

Flood Risk

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

Highways/Parking

- 7.6 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.
- 7.7 The application property has a garage to the rear which can accommodate one car, the site is located within easy walking distance to the facilities on Wellingborough Road. It is considered that the application site is in a sustainable location within 149 metres of bus stops on Billing Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space has been allocated to the rear of the house, which will provided secure covered cycle parking for the residents.
- 7.9 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.
- 7.10 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 Parking Standard for the proposed development is therefore 5 parking spaces, which is an increase of 3 spaces compared to the previous use of the property as a 3-bed dwelling. A 3 bed house requires 2 parking spaces under the Parking Standards.

- 7.11 In this case, the Highway Authority recommended that a parking beat survey be undertaken to assess the impact of the proposal on the parking within the immediate area of the site. The applicant declined to provide a parking beat survey in this instance, as they felt it was unreasonable, due to the development being located within 400m of a bus stop and the site is located in a sustainable location close to the shopping area of Wellingborough Road. The applicant felt that the proposal was in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.12 There is no evidence to support that all 5 residents would own cars. 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.
- 7.13 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, the fact that there is one parking space to be provided on site, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is considered that a refusal on highway grounds could not be upheld.

Refuse storage

- 7.14 Details have been submitted for refuse storage. This will be located to the rear of the site within the rear communal amenity area.

Amenity

- 7.15 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.

CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's 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 occupied by a maximum of 5 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

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 18/H242/2, 18/H/242/3.

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

4. The existing basement shall not be used as a bedroom at any time.

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 refuse and cycle storage as shown on drawing no. 18/H242/2 shall be provided prior to the first occupation of the building as a house in multiple occupation and be retained through the lifetime of the development.

Reason: In the interests of residential amenity to comply with Policy E20 of the Northampton Local Plan.

6. The secured bicycle storage as shown on drawing no. 18/H242/2 shall be provided prior to the first occupation of the building as a house in multiple occupation and be retained through the lifetime of the development.

Reason: In the interests of residential amenity to comply with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

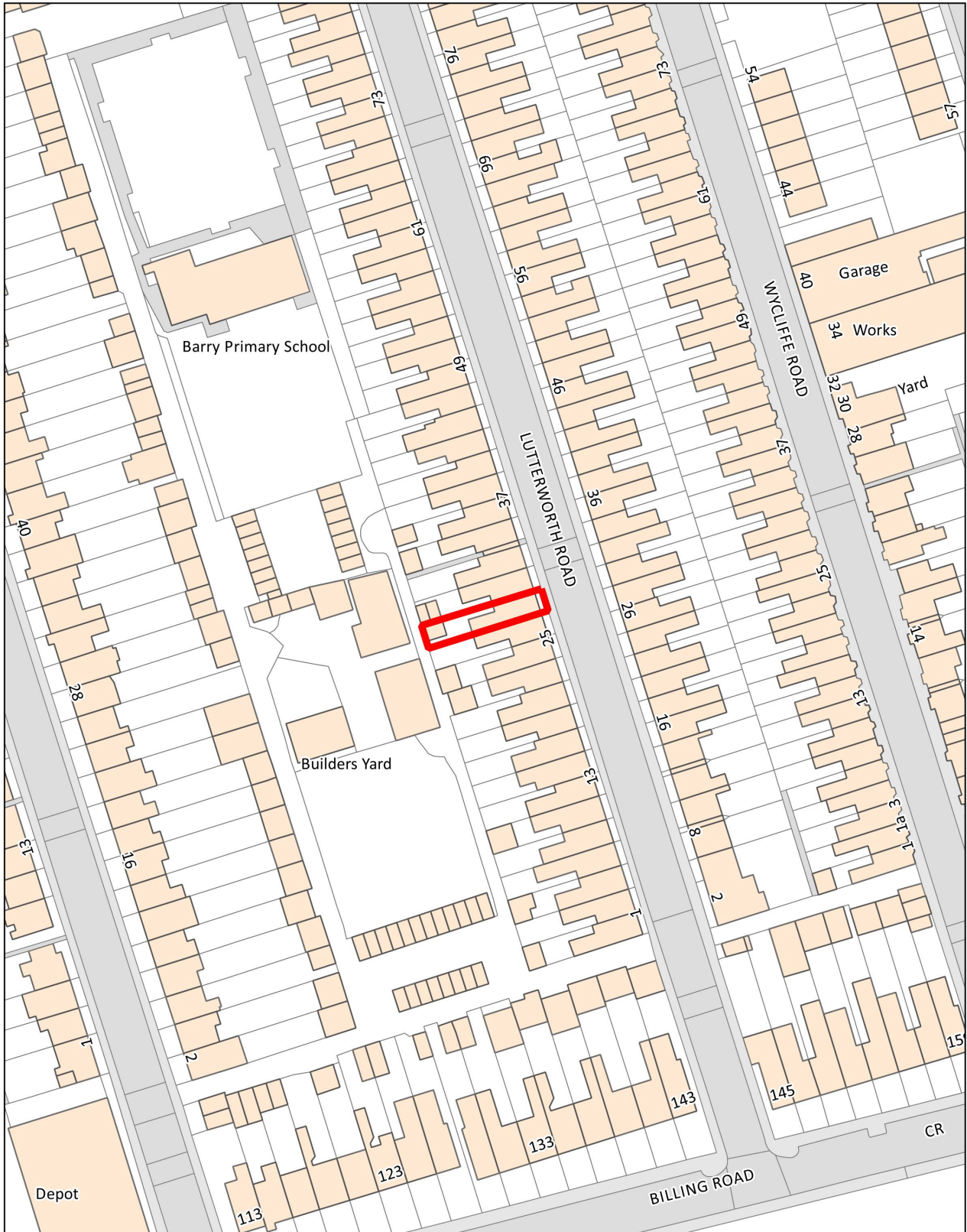
- 10.1 None.

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: **29 Lutterworth Road**

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Date: 27-02-2018

Scale: 1:1,000

Drawn by: -----