



PLANNING COMMITTEE: 20th November 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1141

LOCATION: 11 Abington Grove

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants (Retrospective)

WARD: Abington Ward

APPLICANT: Miss S Bailey
AGENT: Mr Barry Waine

REFERRED BY: Cllr Smith
REASON: Impact 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 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. Notwithstanding existing parking conditions in the local area, 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 therefore complies with Policies H1, H5, BN7 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 Permission is sought for a change of use from a 6 bedroom dwelling house (Use Class C3) to a house in multiple occupation (HIMO) for 7 people in 7 bedrooms (Sui Generis). The proposal includes two bedrooms, kitchen, lounge, shower room and utility at ground floor, three bedrooms with bathroom and WC at first floor, and two bedrooms and shower room at second floor level. The application is retrospective.

3 SITE DESCRIPTION

- 3.1 The application site consists of a terraced dwelling along Abington Grove. Parking is provided on street on an unrestricted basis. The site is within easy walking distance to the Racecourse and shops on Abington Avenue and Kingsley Park Terrace, the latter of which is a Local Centre as identified in the West Northamptonshire Joint Core Strategy. The property has a long private rear garden enclosed on three sides. The site is not in a conservation area.

4 PLANNING HISTORY

- 4.1 N/2018/0672 Permission refused for lawful development certificate for 7 person house in multiple occupation as the applicant was unable to demonstrate that the use was continuous for more than 10 years.

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 8 – seeks to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

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 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 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 **Northamptonshire Highways (NCC)** - Object. Based upon Northamptonshire Parking standards, the proposal would generate a demand for 7 vehicles as opposed to 3 for the existing. As there is no residual parking capacity in the area and any increase in demand will increase the instances of illegal parking. The Highway Authority considers that any impact will compromise highway safety to be a severe developmental impact. Although in isolation it is argued that the cumulative impact of minor developments such as this need to be considered as a whole. It is agreed that the site is in a sustainable location which can decrease vehicle usage for short journeys, however, it is argued that this does not necessarily correlate to decreased vehicle ownership. In conclusion, raise objection due to lack of residual parking capacity, the increase in parking demand will increase dangerous parking, putting all road users at risk and is seen as a severe developmental impact.
- 6.2 **Private Sector Housing** - No objection to revised plans in terms of room sizes and amenities. Will require HIMO License.
- 6.3 **Councillor Zoe Smith** - objects to and calls in application to committee due to impact on car parking.
- 6.4 There have been no neighbour comments received.

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 Joint Core Strategy 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 other 11 HIMOs within a 50m radius of the application site out of 90 residential properties either as established HIMOs or with planning permissions. The use of this property as a HIMO would equate to a 12 HIMOs creating a 13.3% concentration in the area. This would still fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement. 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 HMOs 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 HMO Interim Planning Policy Statement. Even though the living room size is below IPPS standard, it meets the standard of combined kitchen and living room required by HMO Licensing. A condition restricting the use of the property to a maximum of 7 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they are satisfied the accommodation proposed meets their requirements. The basement would be used for storage, and a condition is proposed to ensure the basement does not become a habitable room.

Flood Risk

- 7.4 Given that the site is not located in a flood zone, the proposal would not lead to any adverse impacts in respect of flood issues.

Highways/Parking

- 7.5 The Interim Planning Policy Statement for HMOs (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 town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

The application property is located within easy walking distance of shops and facilities on Kingsley Park Terrace and Kettering Road, and is considered to be in a very sustainable location. The site is also within 200 metres of the nearest bus stop on Abington Avenue. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring further details to be submitted for approval for secure cycle storage.

However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. 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 7 parking spaces, which is an increase of 4 as compared to the existing use which would require 3 off road spaces as a dwelling.

Although the Local Highway Authority object, as they consider that the proposal would increase parking demand and that the impact is severe, weight must be attached to the fact that the site is in a sustainable location. This is a view that has consistently been shared by inspectors on appeal where appeals have been allowed despite the lack of parking. It is considered that due to the site's sustainable location, a refusal of the application on highway grounds could not be upheld appeal.

Refuse storage

- 7.6 There is sufficient space to the rear of the property for bin storage, and a condition is recommended to agree such details to ensure it is of appropriate size and design.

Amenity

- 7.7 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 dwelling house.

8 CONCLUSION

- 8.1 The proposed development 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, and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 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 and the aims and objectives of the National Planning Policy Framework.

9 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Revised plan B49-2A received 10 October 2018, Location Plan.

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

- 2) The maximum number of occupiers shall not exceed seven at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and Policy H30 of the Northampton Local Plan.

- 3) Within two months of the grant of planning permission, full 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. Development shall be carried out in accordance with the approved details and fully implemented within one month of the date of agreement.

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) Within two months of the grant of planning permission, 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 and fully implemented within one month of the date of agreement.

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) The basement shall not be used as a bedroom or habitable room connected with the approved HIMO at any time throughout the life time of the development.

Reason: In the interests of residential amenity to comply with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

- 6) Within two months of the approval date, the existing en-suite in the ground floor bedroom shall be removed and the room modified as per the approved drawing and retained as such throughout the life time of development.

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

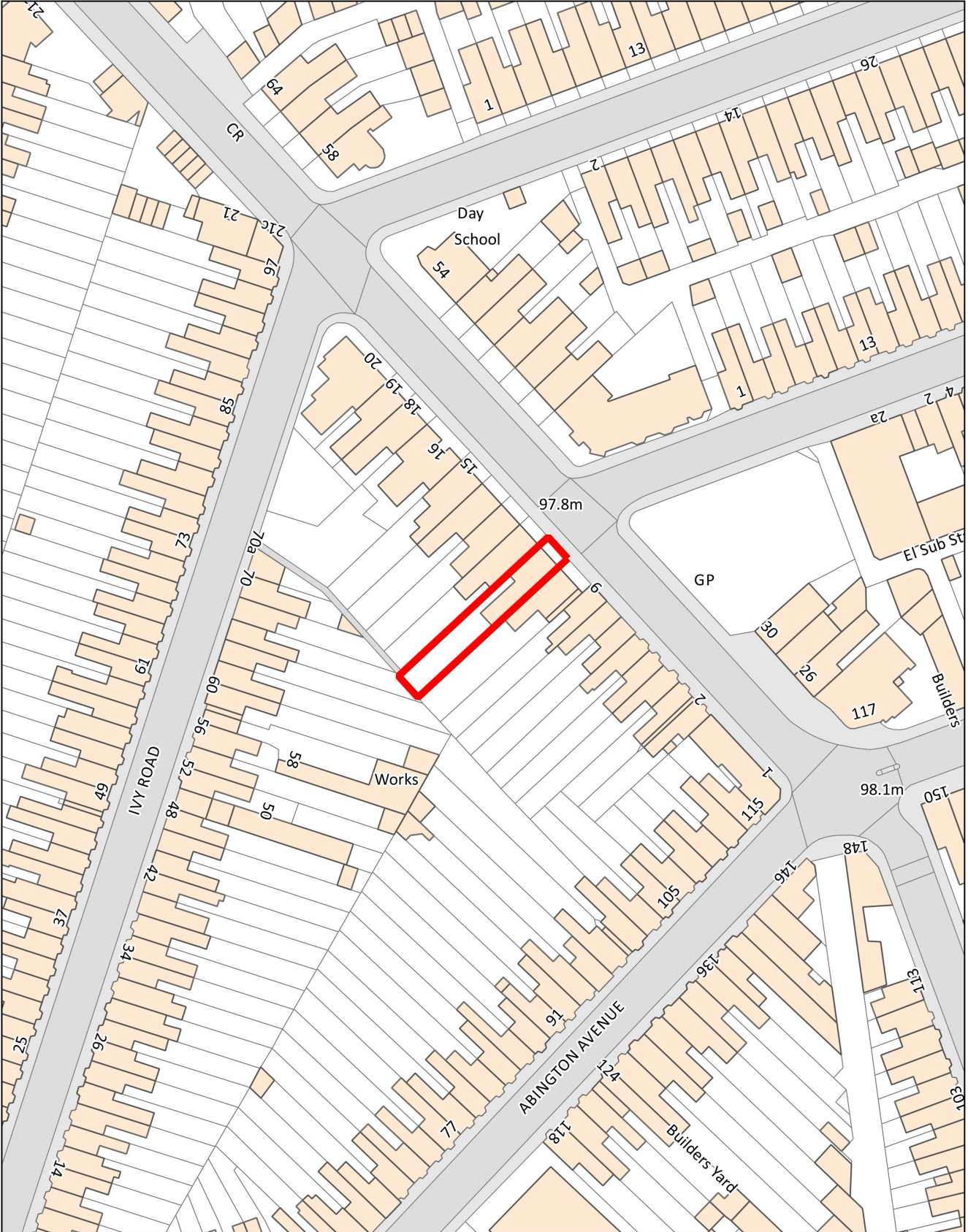
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11 LEGAL IMPLICATIONS

The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **11 Abington Grove**

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Scale: 1:1.000

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