

PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1722

LOCATION: 29 Stimpson Avenue

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants together with enlarged lightwells to front and rear and enlarged windows to front and rear at basement level

WARD: Abington Ward

APPLICANT: Mr R L Smith
AGENT: Ronald Fletcher Baker LLP

REFERRED BY: Councillor Zoe Smith
REASON: Parking 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 without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for the change of use of the former three bedroom dwelling into a six person house in multiple occupation (HIMO). The application is part retrospective, with the change having already been carried out. However, as part of the proposal the layout of the HIMO would be altered.

3 SITE DESCRIPTION

- 3.1 The site comprises a terraced house within a street of similar properties. The property was a three bedroom dwelling with a basement. There is a small front garden and a 14m long rear garden. Parking is currently on-street.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 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.

5.2 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

5.3 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 – Design
Policy H30 – Multi-occupation with a single dwelling

5.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.5 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;
- To secure provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – the property would be suitable for the licensing of six units as a HIMO.
- 6.2 **Local Highway Authority** - this development will increase the demand for parking further and will increase dangerous parking practices. The LHA considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact. Therefore, in the interest of highway safety, Northamptonshire Highways must object to the application.
- 6.3 **Councillor Z Smith** – Calls in the application to Committee on the grounds that it would exacerbate parking problems and also concerns over the basement bedroom and low number of bathrooms.
- 6.4 Representations received from the occupants of two neighbouring properties, in response to original and revised plans, making the following points in summary:
- Will lead to excessive noise
 - Will add to parking problems
 - Plans are not clear regarding fire escape.
- 6.5 At the time of writing this report, reconsultation on amended plans is ongoing. Any further comments received will be reported to Committee by means of the addendum.

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.

Concentration of HIMO uses in the area and character of the area

- 7.2 Records indicate that there are 8 existing HIMOs within a 50m radius of the application site, including the application site, giving a concentration of 10.2% and therefore the proposal would not result in an over-concentration of such uses.
- 7.3 Given the level of existing concentration of such uses in the area, it must be concluded that the proposal would not adversely affect the character of the area.

Facilities

- 7.4 All bedrooms, the kitchen area and bathrooms proposed are of sufficient size to serve the number of occupants and Private Sector Housing has no objection to the proposal.
- 7.5 The application is part retrospective in that the property is already being used as a HIMO. However, the premises as currently laid out with two bedrooms in the basement, both of which have a somewhat limited outlook. The layout is considered to be unacceptable and does not

provide good standard of living accommodation to occupants. As a result, amended plans have now been submitted which show the front basement room to be converted to a living room and the current living room at the rear of the ground floor to be converted to a bedroom. The rear basement bedroom has been improved by the introduction of a larger window. This will result in an improved living environment. A condition is proposed requiring that the property is converted in accordance with these plans within six months.

- 7.6 The proposal would therefore meet the standards as set out in the IPPS and in accordance with Private Sector Housing's requirements.

Flood Risk

- 7.7 The site is located outside the areas at risk of flooding.

Parking / use of public transport

- 7.8 No on-site parking is proposed. In this respect reference must be made to Principle 3 of the IPPS, which 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.
- 7.9 In this case, the site is within 90m of the nearest bus stops on Stimpson Avenue, and is also a short walk from local shopping facilities on Wellingborough Road. This criterion is therefore considered to be met.
- 7.10 Reference must also be made to the Northamptonshire Parking Standards which 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 6 parking spaces, which is an increase of 4 compared to the requirements for the current 3 bedroom dwellinghouse use, as the parking standard for a 3-bed house is 2 spaces.
- 7.11 Comments from the Local Highway Authority indicate concerns that the proposal would result in a severe detrimental impact on highway amenity and safety due to the already oversubscribed nature of parking in the area.
- 7.12 In response to this, it can be noted that the proposal complies with the IPPS as set out above and also that the current lawful use as a three bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would only a minimal increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 6 residents would own cars.
- 7.13 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. It would, therefore, be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.14 In accordance with the IPPS, a condition is proposed requiring the provision of secure cycle storage which could be accommodated in the rear garden.

Refuse Storage

- 7.15 Refuse storage is indicated within the small front garden area. This is a fairly typical arrangement for properties of this type and it is considered that this represents a practical solution. A condition is recommended to ensure that such facility is provided.

Amenity

- 7.16 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.

8 CONCLUSION

- 8.1 The continued use of the property as a 6 person HIMO, following the alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing lawful use, it would be difficult to uphold a refusal at appeal. 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: 29STP-108 C2, 29STP-111 C1.

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

2. The development hereby permitted shall be occupied by a maximum of 6 residents at any one time.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

3. Within six months of the date of this decision, the property shall have been reconfigured in accordance with drawing 29STP-108 revision C2 including the provision of new fire escape windows to the basement rooms and shall thereafter be retained in that format for so long as the use hereby approved remains. The proposed basement communal room shall not be used as a bedroom at any time. The Local Planning Authority shall be informed by the applicant in writing upon completion of these works.

Reason: In the interests of the amenities of current and future residents of the premises, in accordance with Policy H30 of the Northampton Local Plan.

4. Details of the provision for the storage of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority within one month of the date of this decision. The approved details shall be implemented within one month of the approval thereof 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.

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted for approval in writing by the Local Planning Authority within one month of the date of this decision. The approved details shall be implemented within one month of the approval thereof and thereafter retained.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

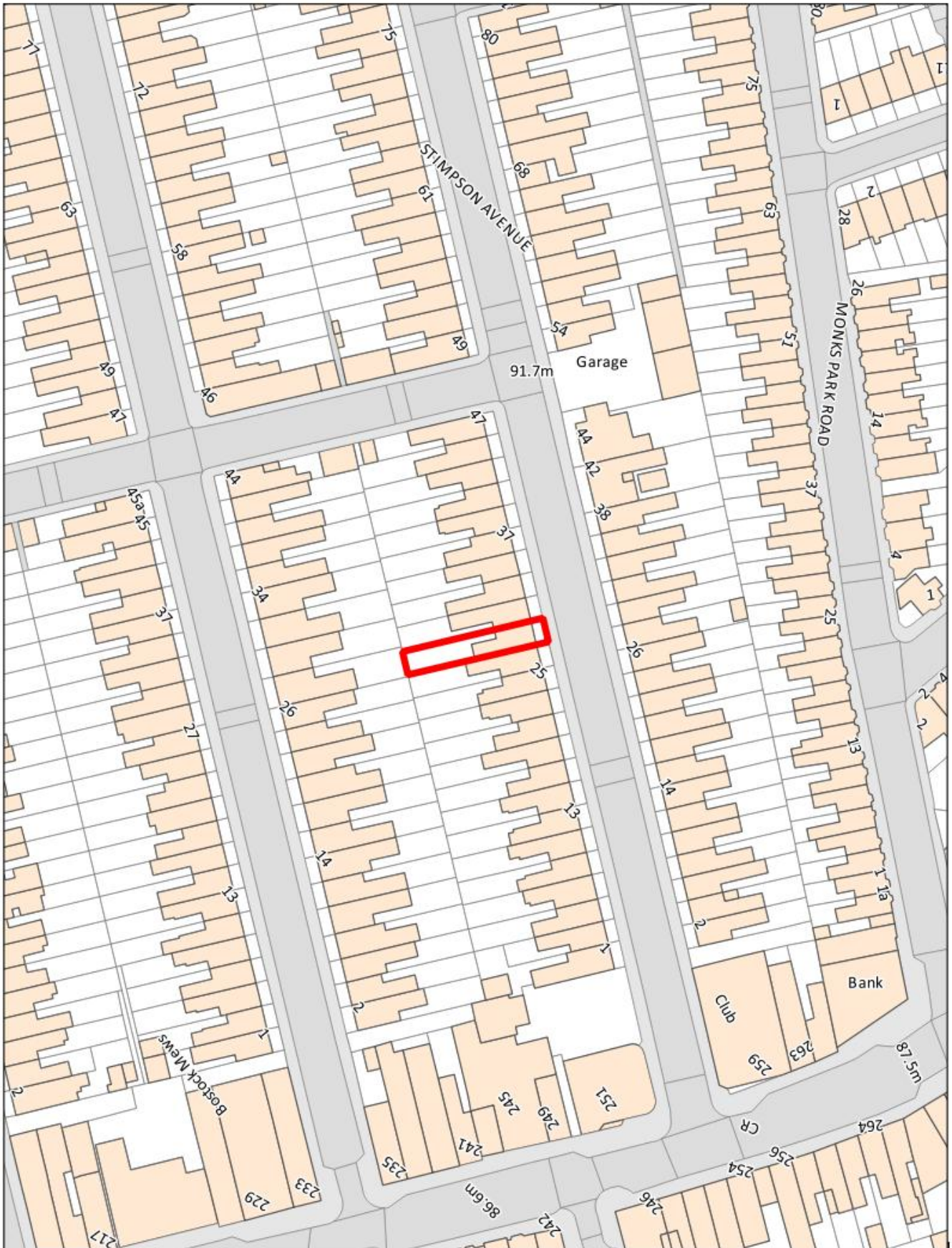
- 10.1 Application file N/2018/1722.

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 Stimpson Avenue**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----