



Planning Committee Report

| | |
|-----------------------------|---|
| Application Number: | WNN/2023/0476 |
| Location: | 73 Billing Road Northampton Northamptonshire NN1 5DE |
| Development: | Conversion of dwelling house (Class C3) to 5 Person house in multiple occupation (Class C4) and single storey rear extension |
| <hr/> | |
| Applicant: | Nik Kumar |
| Agent: | Amico Design Limited |
| Case Officer: | Jonathan Moore |
| <hr/> | |
| Ward: | Abington and Phippsville Unitary Ward |
| <hr/> | |
| Reason for Referral: | Called in by Councillor Zoe Smith – Impact on residential amenity and conservation area |
| Committee Date: | 4th October 2023 |

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

Proposal

Permission is sought for the conversion of a dwelling house (Class C3) to 5 person house in multiple occupation (Class C4) and single storey rear extension, the extension would have a sloping roof and be built in materials to match.

The original submission was for a proposed 8 person HMO and following negotiations with the applicant this has been reduced to 5 persons.

Consultations

The following consultees have raised no **objections** to the application:

- Private Sector Housing
- Conservation
- Highways
- Northamptonshire Police

Over 90 letters of objection have been received and 1 letter of support.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Concentration of HMOs within the area
- On-street parking provision
- Appropriate storage provision for bicycles and refuse
- Impact on appearance and character of conservation area

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a terraced dwelling in the Billing Road Conservation Area with long private back garden and small front garden fronting Billing Road. There is parking on street along Billing Road and on street to the side and rear though parking in the vicinity of the site is at a premium throughout the day. The property has been vacant for over a year and a half as confirmed by the applicant.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for conversion of a 5 bedroom dwelling to 5 person HIMO with small single storey rear extension. The rear extension is minor in size and could be installed as permitted development, materials would match the existing building.

3 RELEVANT PLANNING HISTORY

- 3.1 There is no planning history directly relevant to the proposal.

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special

attention to preserving or enhancing the character or appearance of a conservation area.

4.2 Development Plan

- West Northamptonshire Joint Core Strategy Local Plan (Part 1)

Policy H1 – Housing Density & Mix & Type of Dwellings

Policy H5 – Managing Existing Housing Stock

Policy S10 – Sustainable Development Principles

Policy BN5- Historic Environment

Policy BN7 – Flood Risk

Policy BN9- Planning and Pollution Control

- Northampton Local Plan Part 2 (2023)

Policy Q1 – Presumption in favour of sustainable development

Policy Q2 – Amenity and Layout

Policy Q3 – Carbon reduction, sustainable design etc

Policy Q4 – Health and Wellbeing

Policy HO3 – Delivering houses in multiple occupation

Policy MO2 – Highway Network and Safety

Policy MO4 – Parking Standards

Policy ENV6 – Heritage

4.3 Material Considerations

- National Planning Policy Framework (NPPF)

Paragraph 104 –Transport issues

Paragraph 130 – Amenity and design

- Residential Extensions and Alterations Design Guide SPD 2011
- Northampton Parking Standards Supplementary Planning Document 2019
- Northamptonshire Parking Standards 2016
- Houses in Multiple Occupation Supplementary Planning Document (November 2019)

The HMO SPD details that proposals for HMOs 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 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities.
- Provide adequate waste and recycling facilities and sufficient refuse storage.
- Minimise flood risk.
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs.

5 RESPONSE TO CONSULTATION

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

| Consultee Name | Comment |
|------------------------|---|
| Conservation | No objections as works are mostly internal and extension is minor in scale |
| Highways | No objections The amended application has been reduced to 5 occupants. The proposed use has a comparable impact to existing and therefore it is considered that there would not be a significant impact on parking and highway safety. |
| Private Sector Housing | No objection to room sizes |
| Councillor Zoe Smith | Call in to committee, object to impact on conservation area and residential amenity |
| Police | No comment on internal layout of premises. Cycles would be open to theft and need better secured. Parking to frontage is limited and the new extension should be provided with windows that meet PAS24/2022. |

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report. Over 90 Objections received on following grounds:

- Lack of access for emergency vehicles
- Lack of parking
- Precedent
- Elevated rear extension
- Effect on conservation area/ listed building
- Design
- Effect on historical importance of site
- Profit driven
- Lack of privacy
- Loss of family home
- Sewerage impacts
- Access
- Highways concerns
- Lack of consultation
- Noise
- External appearance
- No environmental impact analysis
- Waste
- Drainage
- Party wall concerns
- Character of area
- Residential amenity
- Anti-social activity

- Lack of outdoor space
- Out of place
- Principle of HMO
- Refuse
- Impact on local community
- Building control
- Over-development of site
- Too many HMOs in area
- Increase in rubbish/ waste
- Effect on architectural integrity of house
- Impact on neighbourhood

1 letter of support received

7 APPRAISAL

Principle of Development

- 7.1 The conversion of the existing dwelling to an HMO is considered to be in line with National Policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. In addition, Policy H5 of the Joint Core Strategy (JCS) allows for HMOs where the proposal would not adversely impact the character of the area and the amenity of residential areas. The principle of development is therefore considered to be acceptable, subject to assessment of the matters set out below.

Concentration of HMOs in the local area

- 7.2 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMO's. Principle 1 of the SPD seeks to create, support and maintain a balanced, mixed and inclusive community and protect the neighbourhood and street scene character. To help achieve this objective, it aims to avoid an over concentration of similar uses in one locality and sets a maximum threshold of 10% of HMOs within a 50m radius of any other HMO (regardless of whether licensed or not). The SPD is up to date, having been adopted in November 2019, and it can therefore be afforded substantial weight in decision making.
- 7.3 Policy HO3 of the Local Plan relates to the delivery of HMOs and reflects the HMO SPD in terms of consideration of the concentration of HMOs in a locality. It states that all planning applications for change of use from dwelling houses to HMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation. Council records have been investigated and the evidence indicates that there is 3 existing licenced HMO within a 50m radius of the application site. Based on the methodology for the calculation of concentration as set out on the HMO SPD, the proposed development would result in an HMO concentration 8.3 per cent within a 50m radius of the application site. Given that the proposal is below the 10% threshold set out in the Council's adopted SPD in relation to the concentration of HMOs, it is considered that the mixture of property types in this locality would maintain an acceptable balance.
- 7.4 Based on the above, the application is considered to accord with the aims of the National Planning Policy Framework, Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy HO3 of the Local Plan and the HMO SPD.

Size of the property and facilities for future occupiers

- 7.5 Policy HO3 of the Local Plan, 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 HMO SPD seeks to ensure acceptable standards for a range of space and facilities and sets out minimum space standards for bedrooms, kitchens, living and dining space as well as a minimum number of bathroom facilities for the intended occupiers.
- 7.6 The proposal is considered to be in accordance with the space standards stated in the HMO SPD. All habitable rooms would be served by sufficiently sized windows which offer adequate natural light, ventilation, and outlook.
- 7.7 The property will require a HMO licence and a condition will be placed on the property restricting the number of occupants to 5 to ensure sufficient space is provided for future occupants.

Amenity and impact on neighbours

- 7.8 The proposal is for a residential use of the property. The existing dwellinghouse could be occupied by a large family with similar number of residents to the proposed HMO. While it is accepted that the use may differ given the number of different households within the property, based on the reasonable use of the property, it is not considered that the proposed use would result in any specific adverse amenity impacts, such as noise or anti-social behaviour, over and above those created by a conventional C3 dwelling house. In terms of the rear extension this is modest in size and would therefore have very limited on adjacent occupiers given set back from boundary on one side and level of projection. It could be erected under permitted development therefore it would be unreasonable to object to for this reason.

Development and Flood risk

- 7.9 The site is located within Flood Zone 1 and therefore the property is at the lowest risk of flooding. The proposal accords with Policy BN7 of the Joint Core Strategy.

Highways/ Parking

- 7.10 The property does not have any dedicated off-street parking spaces. The HMO SPD sets out a starting point of one on-plot car parking space per bedroom. This is consistent with the standard specified in the Northamptonshire Parking Standards (September 2016) and the Parking Standards Supplementary Planning Document (November 2019). The Houses in Multiple Occupation SPD sets out that where limited or no parking provision is proposed, the developer must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop or be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade.
- 7.11 As no parking beat survey has been submitted it is reasonable to infer that parking within the area is either insufficient or at best minimal. Consequently, the only way for the property to be deemed acceptable is if the property is sustainably located. The property is located opposite a bus stop on Billing Road with a half hour service between the site and the Bus Station.

- 7.12 The second part of principle 4 of the HMO SPD states the proposal site needs to be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade.
- 7.13 The site is deemed to be approximately 5 minutes walking distance of Wellingborough Road which has a variety of shops, eateries and other services. Therefore, it is considered that in this case, it would not be reasonable to recommend refusal. Though the site is a little more than 420m to the local centre it is still within walking distance and also within easy access of the Hospital which could be source of employment.
- 7.14 It is acknowledged that the area is heavily parked and residual parking capacity is likely to be very limited, especially in the evenings. It is also recognised that the proposal has the potential to increase parking demand over and above that generated by the existing dwellinghouse and that the cumulative impact of other HMO development and existing dwellings and flats can have a significant impact on a local area.
- 7.15 Notwithstanding the above, the site is within a sustainable location and the concentration of HMOs in this locality is within acceptable limits. As such, the application is in accordance with the HMO SPD. Furthermore, previous planning applications for houses in multiple occupation within Northampton have accepted that there is no evidence to support that all the residents would own cars. Under these previous applications, regard has been paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport and no or very limited parking is provided, considerable weight has been given to the sustainable location of the site. 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.
- 7.16 The HMO SPD recommends that storage space should be provided which is accessible to cycle users. The Northamptonshire Parking Standards document (2016) indicates that for houses in multiple occupation, one cycle space should be provided per bedroom. A condition securing details of the cycle stand proposed providing secure storage is recommended.
- 7.17 In summary, whilst it is likely that some future occupiers would own a car, the site's sustainable location and the on-site availability of secure cycle storage are factors that would be anticipated to appeal to persons dependent upon sustainable modes of transportation. When also factoring in that the property's use as a single dwellinghouse would generate its own parking demands, it is considered that the parking arrangements for the development are acceptable. The application therefore accords with Policy H5 of the WNJCS, Policy HO3 of the Local Plan Part 2, the NPPF and the HMO SPD in so far as these policies and guidance indicate that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Refuse provision

- 7.18 HMOs are required to provide suitable refuse storage. The submitted plans show that there is space within the rear garden for refuse bins. A condition will be applied to any permission requiring details of the proposed refuse storage to ensure sufficient storage is provided and that it is easily accessible.

Impact on appearance and character of the Billing Road Conservation Area

- 7.19 The only proposed external works would be a small single storey rear extension off the back wall of the premises. Given the siting out of public view it is considered that the proposal would have limited impact on the conservation area. The extension is modest and of a design in keeping with the host building in materials and roof form. Materials can be agreed by condition. Conservation raise no concerns.

Loss of family home & impact on character of the area

- 7.20 The Local Plan does not set out any specific policy to restrict the loss of family sized housing. It is accepted that HMOs will play an important role in providing a suitable mix of housing types within the borough. Further, due to the nature and scale of the works, it would not require much work to revert the property back to a single dwelling in the future should ownership change

Other issues

In terms of drainage, there is no requirement to consult the Drainage Authority on an application of this scale. The impact from sewerage is likely to be similar from the proposed use compared to a large family dwelling house. Party wall issues are civil matters outside the control of Planning.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL is not payable

9 PLANNING BALANCE AND CONCLUSION

The site is located in an established residential street where residential uses are prevalent meaning that the principle of conversion is considered acceptable. In addition, the site would not result in an over concentration of similar uses, would not lead to significant parking concerns, has an acceptable effect on residential amenity and would preserve the appearance and character of the Billing Road conservation area.

10 RECOMMENDATION

- 10.1 Grant permission subject to the following conditions:

Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are: AD/01/10C and 20A

Reason: To clarify the permission and for the avoidance of doubt.

Cycle parking

3. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

Refuse

4. Prior to the first use or occupation of the development hereby permitted, covered refuse facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

Occupancy

5. The maximum number of occupants shall not exceed 5 at any one time.

Reason: To prevent over-development to accord with Policy H1 of the West Northamptonshire Joint Core Strategy.

Basement restriction

6. The basement shall not be used as a bedroom or living room at any time.

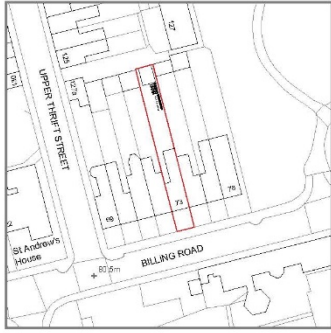
Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

Materials

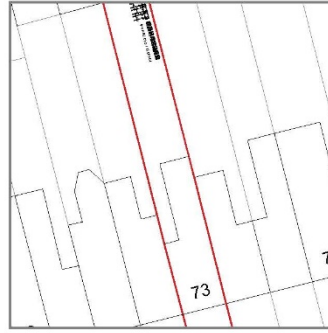
7. The approved single storey rear extension shall be constructed in materials of the same type, colour and texture as the existing building.

Reason: In the interests of visual amenity to comply with Policy S10 of the West Northamptonshire Joint Core Strategy.

OS MAP - SCALE 1:1250



BLOCK PLAN - SCALE 1:500



© Crown Copyright 2022 Ordnance Survey 100038143



Amico Design Limited
 Farmers Barn, Station Farm, Denton Road,
 Northamptonshire, NN7 2SS
 01604 871809
 hello@amicodesign.co.uk
 www.amicodesign.co.uk

| NO. | FIRST/ISSUE | BY | DATE |
|-----|-------------|----|------|
| 1 | | | |

| REV. | DESCRIPTION | BY | DATE |
|------|-------------|----|------|
| 1 | | | |

STATUS: **PLANNING**

CLIENT: **NIK KUMAR**

PROJECT: **73 BILLING ROAD,
NORTHAMPTON, NN1 5DE**

DRAWING TITLE: **QS MAP**

| SCALE BY SET | DATE | DRAWN | CHECKED |
|--------------|----------|-------|---------|
| 1:1250/1:500 | 22.05.23 | HK | GB |

| PROJECT NO. | DRAWING NO. | REVISION |
|-------------|-------------|----------|
| 23080 | AD-05 | - |