



# Planning Committee Report

**Application Number:** 2024/0695/FULL

**Location:** 4 Halswell Court Northampton NN3 3RH

**Development:** Change of use from a C3 dwelling to C2 supported living accommodation.

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**Applicant:** Mr Hars Samrai

**Agent:** Mr Hars Samrai

**Case Officer:** Jonathan Moore

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**Ward:** Boothville and Parklands Unitary Ward

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**Reason for Referral:** Called in by Cllr M Hallam on grounds of Over-development

**Committee Date:** 15 May 2024

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS

### **Proposal**

Permission is sought for the change of use from a C3 dwelling to C2 supported living accommodation.

### **Consultations**

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

- Highways
- Police
- Environmental Health

17 Letters of objection have been received and no comments 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
- Neighbour amenity
- Parking/ Highways
- Security/ Crime prevention

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 comprises two storey detached dwelling with double integral garage at the end of a quiet residential cul-de sac. The property has a private rear garden and parking on a driveway in front for approximately 4 cars off road. The site comprises a modern property amongst similar residential uses. There are no parking restrictions on street.

### **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 The proposed development is for conversion of a family dwelling into C2 supported living for supporting those with learning difficulties and vulnerable adults.
- 2.2 The property will operate on a 24-hour rota basis, with three-day and two-night staff. Additionally, there will be a live-in resident manager who will oversee the day-to-day operations and ensure the well-being of the residents. The support provided will be tailored to the individual needs of each resident. It may include assistance with daily living tasks, access to healthcare services, social inclusion activities, and community engagement opportunities. The plans also indicate some new ground floor windows to replace the front garage doors which could be implemented as permitted development as a dwelling
- 2.3 The existing property is 4 bedrooms and the property will become 8 bedrooms in total with parking being retained on the front driveway for approximately 4 cars off road. There would also be a shared lounge and an office on the ground floor.

### **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.
- 4.3 Development Plan

## **West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies**

S10 Sustainable Development Principles  
H1 Housing Density, mix and amenity  
BN7 Flood Risk  
BN9 Planning and Pollution Control

### **Northampton Local Plan Part 2**

SD1 Sustainable Development Principles  
Q1 Place making and design  
Q2 Amenity and Layout  
M02 Highway Safety  
M04 Parking standards

#### **4.4 Material Considerations**

A Regulation 18 version of a local plan for the whole of West Northamptonshire was published for consultation between 8th April and 2nd June 2024. Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans subject to the following three considerations:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

As the local plan is still in the early stages of preparation, policies in it can be a material consideration, but its policies can only be afforded limited weight at this stage.

The policy of particular relevance to this application is:

PL7 Design and amenity- refers to impact on amenity of other residential occupiers

### **National Planning Policy Framework (NPPF)- December 2023**

- Paragraph 114 safe access for all
- Paragraph 135 residential amenity

Northampton Parking Standards Supplementary Planning Document  
Northamptonshire Parking Standards  
Planning out Crime SPG

## **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.

<b>Consultee Name</b>	<b>Comment</b>
Highways	No objection
Environmental Health	Comment on need for refuse provision, no objection
Police	No objection
Cllr M Hallam	Object and call in the committee, over-development

## **6 RESPONSE TO PUBLICITY**

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There have number of objections/letters of support raising the following comments:

- Concern could become an HMO
- Noise
- Parking
- Refuse concerns
- Access for emergency vehicles
- Provision of septic tank
- Cramped
- Impact on quiet area
- Privacy
- Highway safety
- Safety for children playing in area
- Anti-social activity
- Over-development
- Rooms too small
- Smells and odours
- Doors too narrow
- Disabled access issues
- Impact on property values
- Increase in rodents

## **7 APPRAISAL**

### **Principle of Development**

7.1 The site is located in an established residential setting where residential uses are considered acceptable in principle subject to adequate parking, highway safety and the effect on neighbouring living conditions. Due to the scale of the proposed development, the loss of one C3 unit is unlikely to materially affect or undermine the Council's wider housing strategy to provide new C3 housing units and therefore would not affect the supply of new homes going forward.

### **Impact on neighbouring amenity**

7.2 The property is located in a quiet residential street and would generate comings and goings throughout the day in terms of staff, residents and visitors arriving and leaving by the car, residents parking and general activity associated with a use of such a nature being a 24 hour operation.

- 7.3 The number of occupants would be secured by condition. Local residents raise concerns over noise / increase in traffic impacting on residential living conditions however in this instance it is considered that the proposal is relatively minor in scale, is a large detached property with no shared party walls and Environmental Health have not raised objection. For this reason a refusal is not justified on amenity terms. The proposal is considered to accord with Policy H1 and BN9 of the JCS, Q2 of the Local Plan Part 2 and aims of the NPPF as well as Policy PL7 of the Emerging Local Plan to which limited weight can be given. It is not considered that the proposal would lead to over-development or a cramped internal layout.

### **Parking and Highways**

- 7.4.1 The site has about 4 off road parking spaces in front excluding the existing double garage which is to be converted. A number of residents are concerned that this is not adequate for a use of this nature and that parking may occur on street and cause highway safety conflict. Highways are not objecting and it is considered that the effect on highways is not severe and a refusal is not justified to accord with the aims of the NPPF. Given that the occupants would not generally be driving, with the exception of staff and visitors it is considered that the existing parking provision is sufficient and parking would be retained by condition in perpetuity.

### **7.5 Crime prevention**

Northamptonshire Police have commented on security with respect to the proposal and raise no objections to the proposal. This accords with Policy S10 of the JCS.

### **Other issues**

- 7.6 Some of the other issues raised like widths of internal doors are matters outside the control of Planning and are for Building Regulations. In terms of access for emergency vehicles, this is no different than the existing situation where parking and access remains unchanged.
- 7.7 There is no evidence to suggest that safety of children would be compromised by the proposal. If the applicant wished to convert to an HMO, this would require separate planning permission. Impact on property values is not a material planning consideration. There is no evidence to suggest the proposal would lead to an increase in rodents in the area.
- 7.8 In terms of design the front elevation would change to include two new ground floor windows to replace the converted garage doors however this would not effect the external appearance of the property significantly. The effect on the street scene is considered acceptable.

## **8 FINANCIAL CONSIDERATIONS**

CIL is not payable as the proposal relates purely to a change of use.

## **9 PLANNING BALANCE AND CONCLUSION**

Given that the proposal is located in an established residential area the principle is considered acceptable in land use planning terms. It is considered that the parking is acceptable providing adequate number of off road spaces for a use of this nature and

scale. In addition, due to the scale and relationship to other properties on balance the effect on residential amenity would be acceptable and is recommended for approval with the conditions below given it would accord with local and national policy.

### 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 are:

101 Location Plan, site plan and floor plans  
200 Elevations

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

#### **Use**

3)The use hereby approved shall be supported living accommodation under class C2 of the Town and Country Planning ( Use Classes Order) 1987 as amended and no other use.

Reason; To define the planning permission in accordance with the submitted details.

#### **Occupants**

4) The total number of residents excluding carers and any managers shall not exceed 6 at any one time

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

#### **Refuse provision**

5) Prior to first occupation,, full details of bin storage within the site boundary shall be submitted for approval in writing with the Local Planning Authority and implemented in accordance with the agreed details before first occupation.

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

#### **Parking**

6) The front driveway shall be used for and retained for the sole purpose of car parking associated with the approved use at all times.

Reason: In the interests of highway safety to comply with the aims of the NPPF.

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