

Planning Committee Report

Committee Date: 7th September 2021

Application Number: WNN/2021/0222

Location: 1 Military Road, Northampton

Development: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants

Applicant: Mr S Kudryavtsev

Agent: Architectural Solutions (Midlands) Limited

Case Officer: Wendy Rousell

Ward: Castle Unitary Ward

Referred By: Councillor D Stone

Reason for Referral: Impact on amenity, parking and services

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application relates to the change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 6 occupants.

Consultations

The following consultees have raised **objections** to the application:

- Northampton Town Council,
- Councillor Stone
- Councillor Alwahabi

The following consultees have raised **observations** to the application:

- Conservation Officer
- Highways,
- Private Sector Housing,
- Town Centre Conservation Area Advisory Committee

No representation letters of objection or support have been received.

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
- Amenity
- Impact on heritage assets
- Highways and Parking

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 double fronted late 19th Century end of terrace house at the corner of Military Road and Watkin Terrace. It is an end of terrace property of an irregular shape, with a garage building at the rear.
- 1.2 There is a side access from Beaconsfield Terrace, which allows access to the rear garden and garage.
- 1.3 The property comprises of a basement (currently a bedroom, shower room and a gym), ground floor (family room, lounge, kitchen, utility and study) and at first floor there are four bedrooms and a shower room.
- 1.4 The property is located close to The Racecourse and within walking distance of shops and bus stops.

2. CONSTRAINTS

- 2.1. The application site is within the Boot and Shoe Quarter Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application relates to the change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 6 occupants. The development proposes the following accommodation:

- Basement floor – two communal living rooms, storage and a shower
- Ground floor – two bedrooms, kitchen, utility, reading room and shower room
- First floor – four bedrooms and a shower room

- 3.1. The bedrooms range from 10.2sqm to 15sqm in floor area, so all the rooms meet the required standards as set out in the Council's HIMO Supplementary Planning Document.
- 3.2. The garage at the rear is indicated for bin storage and for cycle parking, which is easily accessible from the street.

4. RELEVANT PLANNING HISTORY

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

5. RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.2. The relevant policies of the LPP1 are:

- H1 - Housing Density & Mix & Type of Dwellings
- H5 - Managing the Existing Housing Stock
- S10 - Sustainable Development Principles
- BN5 – Designated Heritage Assets and their setting
- BN7 - Flood Risk

Northampton Local Plan 1997 (Saved Policies) (NLP 1)

- 5.3. The relevant policies of the NLP 1 are:

- Policy E20 – Design for new development
- Policy E26 – Development in Conservation Areas
- Policy H30 – Multi-occupation with a single dwelling

Material Considerations

- 5.4. Below is a list of the relevant Material Planning Considerations

- **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 62 - ensure that a variety of homes to meet the needs of different groups in the community will be provided.
 - Paragraph 130 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- Northamptonshire County Parking Standards (November 2016)

- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Houses in Multiple Occupation Supplementary Planning Document (November 2019). The HIMO SPD details that 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 10% of HIMOs 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
- Boot and Shoe Conservation Area Management Plan

6. RESPONSE TO CONSULTATION

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
Highways	The property is located within a permit zone and therefore parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered and there is no guarantee that every resident will be issued with a permit.
Conservation Officer	Loss of a potential large family house, however no external alterations are proposed, and the appearance of the Conservation Area will not be affected. Provided the concentration is not exceeded the impact on the Conservation Area will be neutral.
Town Centre Conservation Area Advisory Committee	The TCCAAC regret the loss of a larger home and notes that an over concentration of HIMO's can encourage a transient population. Parking and waste management can affect the appearance of the Conservation Area. Recommend that the concentration is checked. Also raise concerns about the size of one of the rooms.
Private Sector Housing	Room sizes – suitable for 6 persons as requested. Kitchen/diner – adequate size Sanitary facilities – adequate Comments regarding fire safety measures
Northampton Town Council	Concerns about the number of HIMOs in the vicinity and the pressure it puts on parking in the area.
Castle Ward – Cllr Stone	Calls the application in. The area has been destabilised by the pressure of too many HIMOs and flats. Further pressure on services and parking. The kitchen is inadequate for 6 households Basement is an odd configuration Reading room – could be better used

	What is the likelihood that the two areas in the basement and reading room could be used as additional bedrooms.
Castle Unitary Ward – Cllr Alwahabi	Over development and pressure on services Inadequacy of the kitchen and utility room for 6 households What is to stop the communal rooms being used as bedrooms

7. RESPONSE TO PUBLICITY

7.1. No representations have been received from members of the public.

8. APPRAISAL

8.1 The conversion of the existing building to an 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 HMOs 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

8.2 The Houses in Multiple Occupation Supplementary Planning Document (HMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

8.3 The number of HIMO is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work. Within the 50m radius, there are currently 8 other HIMO (established or with planning approvals) all on in Bailiff Street, Poole Street and Watkin Terrace within a 50m radius of the application site.

8.4 Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HMOs within a 50m radius of the application site. There are 95 properties within a 50m radius of the application site therefore, 10% would equal 9.5 properties. The inclusion of the proposed HMO would result in a 9.47% concentration of HIMO properties within a 50m radius. The proposed concentration is therefore within the threshold of 10% as described in the adopted SPD.

Size of the property and facilities for future occupiers

8.5 Policy H30 of the Local Plan, although dated, is in line with the aims of the NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMO to be of sufficient size to accommodate the proposed use.

8.6 The property is considered to be of sufficient size, providing larger single occupancy bedroom sizes (all upwards of 10m²) in accordance with the Council’s HIMO Supplementary Planning Document (SPD). All bedrooms have access to shower rooms with toilets which are considered to be appropriate facilities which would provide all occupants with a good standard of amenity and personal space.

- 8.7 On the ground floor, there is a separate kitchen area measuring 13.5m², with a separate reading room of 6sqm, then two separate communal living areas in the basement of 13sqm and 14 sqm respectively. Due to the size of the bedrooms which exceed 10m² and the size of the kitchen which exceeds 10m², a separate communal living area is not required in order to comply with the Council's guidance. Therefore, whilst the proposed basement communal living areas have limited light and outlook, these are provided in addition to the accommodation provided throughout the building. This would therefore meet the requirement as stated in Principle 2 of the HMO SPD 2019. There is also an additional storage area located in the basement.
- 8.8 There is an additional access door from the kitchen and Beaconsfield Terrace to a rear garden area to ensure access for refuse and cycle storage is accessible, but secure.
- 8.9 A condition restricting the use of the property to a maximum of 6 people is proposed to ensure an appropriate level of amenity is retained. Private Sector Housing have confirmed that the proposals would meet the requirements for a 6 person HMO. All bedrooms would be served by adequate outlook and light.

Impact on heritage Assets

- 8.10 The key issue in respect of heritage matters is the impact on the external appearance of the building. There are no external alterations proposed within this application.
- 8.11 In terms of the internal layout, whilst the proposal indicates the subdivision of the internal space, it does respect the existing walls within the building and there the previous layout is retained, thereby keeping the integrity of the original form.
- 8.12 It is therefore considered that the impact on the heritage assets is neutral.

Flood Risk

- 8.13 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding.

Highways/Parking

- 8.14 The HMO SPD sets out clearly that where limited or no parking provision is proposed, the site 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 with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.15 In this instance a parking beat survey has not been submitted. However, the property lies within a Permit Zone and therefore all parking in the vicinity is controlled. The Highway Authority holds the right to restrict the number of permits issued to any property and this may result in the number being restricted. It is noted that there is no guarantee that every resident within such areas will be issued with a permit.
- 8.16 As the application site is in a sustainable location within 400m of bus stops on Barrack Road and also within walking distance of local facilities on The Mounts, the proposal is considered to be in accordance with the requirements of the HMO SPD in respect of parking considerations and being situated in a sustainable location.

- 8.17 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 6 parking spaces which is an increase of 3 compared to the requirement of 3 spaces for a 5-bedroom dwelling.
- 8.18 Whilst the proposal represents a slight increase in parking demand compared to the existing use, there is no evidence to support that all the residents would own cars. Furthermore, regard must be 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 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.
- 8.19 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available in the existing garage for cycle storage and a condition is proposed to ensure that secure cycle parking is implemented prior to the property being first occupied as a HIMO.
- 8.20 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, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the HIMO SPD and the Parking SPD, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 8.21 There is sufficient space in the existing garage for bin storage. This would allow for storage of waste prior to refuse collection days and a condition can be attached to ensure that the refuse storage provided and is retained thereafter.

Other Matters

- 8.22 The proposal does not include any external alterations that would increase the extent of overlooking or loss of privacy to existing properties surrounding the site.
- 8.23 Concerns raised in respect of antisocial behaviour is a management issue and not something that can be addressed through the planning process. Furthermore, 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 in relation to amenity issues would be reasonable or sustainable at appeal.
- 8.24 Internal sprinkler systems will be required as part of the licensing of the HIMO and are not a planning consideration.

9.0 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10.0 PLANNING BALANCE AND CONCLUSION

10.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect 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.

10.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation SPD.

11.0 **RECOMMENDATION / CONDITIONS AND REASONS**

11.1 The proposed development is recommended for approval subject to the following 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 carried out in accordance with the following approved plans: ASM-21-S9-01, ASM-21-S9-03.

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

3. Notwithstanding the submitted plans and prior to the occupation of development, further 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 prior to the development being first brought into use and retained thereafter.

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.

4. The refuse and recycling storage shall be provided in accordance with the details shown on the approved plans prior to occupation and retain thereafter.

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 development hereby permitted shall be occupied by a maximum of 6 occupants 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.



**West
Northamptonshire
Council**

Title: 1 Military Road

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Scale: 1:1,000

Drawn by: D.Jaskulska