



Planning Committee Report

Committee Date: 5th October 2021

Application Number: N/2021/0031

Location: 35 Hood Street, Northampton

Development: Change of use from 4 occupants House in multiple occupation to a 5 occupants House in multiple occupation.

Applicant: LG Properties (Northampton) Limited

Agent: Alex Jelley

Case Officer: Kanchan Sharma

Ward: Castle Unitary Ward

Referred By: Councillor D Stone

Reason for Referral: Overdevelopment, pressure on parking and services

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS.

Proposal

Permission is sought for a change of use from 4 occupants House in multiple occupation (HIMO) to a 5 occupants House in multiple occupation. Parking would be on-street.

Consultations

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

- Councillor D Stone
- Colwyn Road & Neighbours Resident Association

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

- Highways
- Conservation Officer

The following consultees are **in support** of the application:

- Private Sector Housing

6 objections 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
- Highways/ Parking
- Impact on heritage assets

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 a two storey, mid-terraced, 4 bedroom property with additional floor space at first floor level where it extends above an existing access way. The property has a kitchen, lounge, dining area, and utility on the ground floor, and 4 bedrooms and 2 bathrooms on the first floor.
- 1.2 The property is located in a residential area with predominantly terraced properties in the immediate area and is in close proximity to Kettering Road, which has a parade of retail and commercial units and bus routes serving the wider area.
- 1.3 The application site is located within the designated Boot and Shoe Quarter Conservation Area and lies within Flood Zone 1, which means very low risk of flooding.

2. CONSTRAINTS

- 2.1. Boot and Shoe Quarter Conservation Area

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for a change of use to increase the number of occupants of the HIMO from 4 to 5.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
N/2019/0680	Proposed change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 occupants.	Approved by Planning Committee on 3 rd September 2019.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

- 5.2. 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) and adopted Neighbourhood Plans.
- 5.3. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 5.4. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.5. 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

- 5.6 Northampton Local Plan 1997 (Saved Policies)

- E20 – New development
- E26 – Development in Conservation area
- H30 - Multi occupation within a single dwelling

Material Considerations

- 5.7 Below is a list of the relevant Material Planning Considerations
- National Planning Policy Framework (NPPF)

- Paragraphs 62 – size, type and tenure of housing need for different groups in the community should be assessed and reflected in planning policies.
- Paragraph 130 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- Paragraph 199 - Great weight to be given to the conservation of heritage assets.
- Boot and Shoe Quarter Conservation Area Appraisal and Management Plan
- Northamptonshire County Parking Standards 2016
- Northampton Parking Standards 2019
- Houses in Multiple Occupation (HIMO) Supplementary Planning Document (November 2019). The HiMO SPD details that proposal 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 HIMO's 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.

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
Councillor D Stone	Calls the application to Committee raising objections in respect of overdevelopment, pressure on parking and services.
Private Sector Housing	Advise that the applicant will require licensing under the mandatory licensing scheme. The property is suitable for the 5 people in 5 households and the amenities and facilities are adequate.
Highways	Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, advise an on-street car parking beat survey. Because of the ongoing coronavirus situation however, we cannot accept transport data for the time being. As a result, the LHA cannot make informed comments regarding the highway impact of this application. Therefore, the potential effect on local amenity should be considered.
Conservation Officer	No objection to the increase in the number of occupiers from four to five. The increase in the number of occupants will not harm the character or appearance of the conservation area
Colwyn road & Neighbours Resident Association	Object to the application on the grounds of overdevelopment. Overcrowding, inadequate shared space, tenant noise, volume of refuse and parking issues. The property is already occupied as HIMO and local residents have issues from its occupants.

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7. RESPONSE TO PUBLICITY

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

7.2. 6 objections have been received and the comments are summarised as follows:

- Loss of family home.
- Parking issues in the area
- Over concentration of HIMOs in the area
- Infrastructure of the area cannot support the increased number of HIMOs
- Anti-social behaviour
- Refuse storage issues and fly tipping

8. APPRAISAL

Principle of the development

8.1. The property is an existing HIMO with 4 occupants and therefore the principle of the use is established. The primary consideration, therefore, is whether the proposed internal layout would provide a satisfactory standard of accommodation for the increased number of occupiers, and whether the proposed increase in occupants would harm the amenities of the surrounding properties and highway safety.

Area concentration

8.2. As the property has planning permission as an HIMO, the area concentration is not a material consideration.

Size of property and facilities for future occupiers

8.3. 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 HIMOs 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 HIMO Supplementary Planning Document (SPD) and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. The application property has a basement and a condition has been recommended to ensure that it would not be used as a habitable room.

Flood Risk

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

Highways / Parking

8.5. The Houses in Multiple Occupation 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.

- 8.6. No parking beat survey was submitted with the application, however, the applicant did provide a Sustainability Statement. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 30 minutes. The site is also located within 200m of the nearest bus stop on Kettering Road with a regular service to the surrounding area. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019).
- 8.7. Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Full details have been submitted for cycle storage located to the rear of the property, which would be secured by condition. The proposal is, therefore, in compliance with this principle of the SPD.
- 8.8. 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 5 parking spaces which is an increase of 1 compared to the approved use for 4 occupants.
- 8.9. 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.
- 8.10. 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

- 8.11. Details have been submitted for refuse storage in the rear amenity space, which are deemed acceptable. A condition has been recommended to secure the arrangement and provision as proposed.

Amenity

- 8.12. 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 in relation to amenity issues would be reasonable or sustainable at appeal.

Impact on Heritage Assets

8.13. The property falls within the designated Boot and Shoe Quarter Conservation Area. The proposed development for a change of use would not include any external alterations. The Conservation Officer has not raised any objection and states that the proposal would have a neutral impact on the character of the Conservation Area and is considered acceptable.

9. FINANCIAL CONSIDERATIONS

9.1. The development is not CIL liable.

10. PLANNING BALANCE AND CONCLUSION

10.1. 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.

10.2. The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN5, BN7 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. RECOMMENDATION / CONDITIONS AND REASONS

11.1. The proposed development is recommended for approval subject to the conditions listed below (and any amendments to those conditions as deemed necessary):

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 Section 91 of the Town and Country Planning Act 1990.

Plans

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ASM_20_L15_02.

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

Occupancy

- 3) The maximum number of occupiers shall not exceed 5 at any one time.

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

Refuse Storage

- 4) Facilities for the refuse and recycling storage as shown on drawing no. ASM_20_L15_02 shall be implemented prior to the increased use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

Cycle Storage

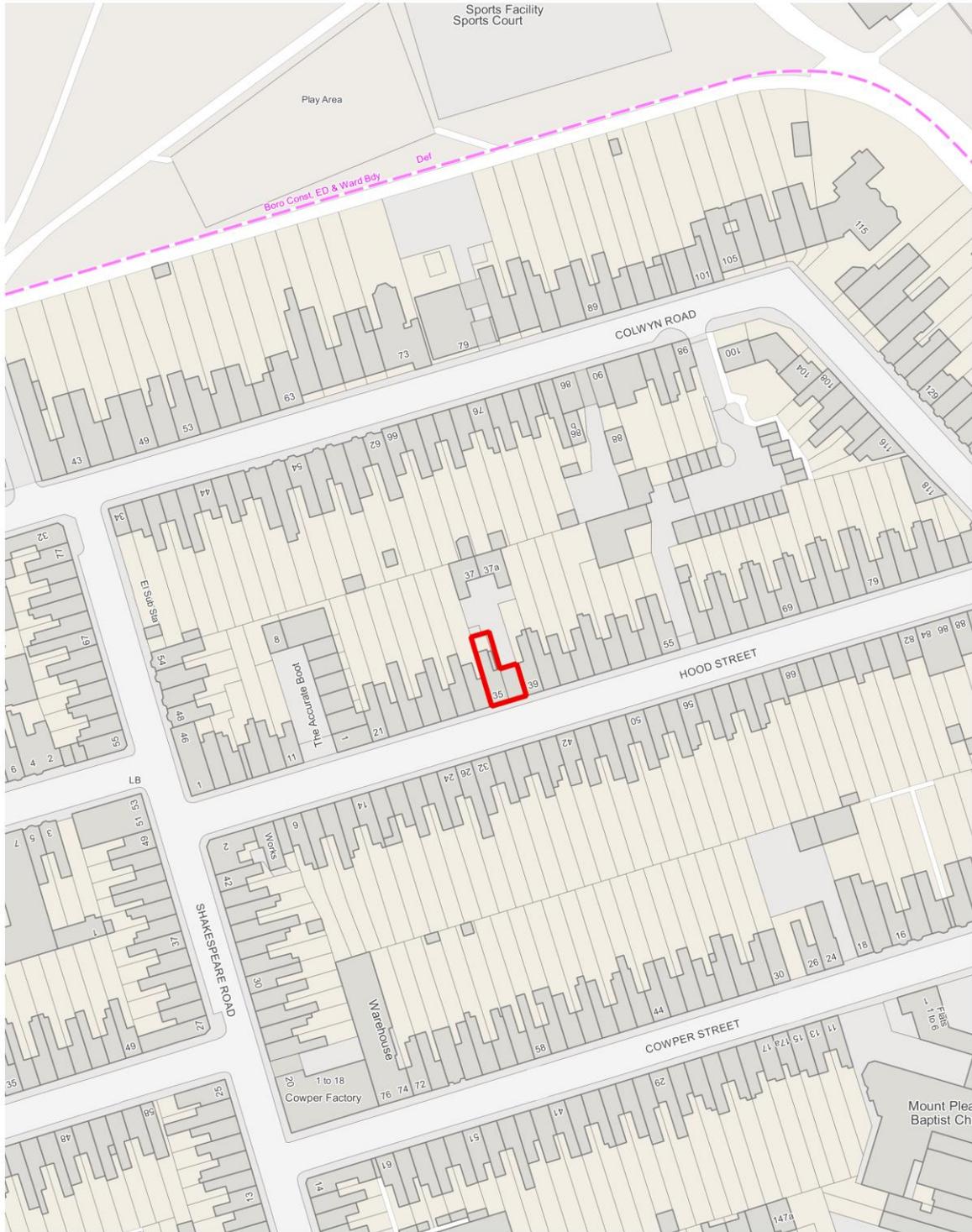
- 5) Facilities for the secure and covered parking of bicycles as shown on drawing no. ASM_20_L15_02 shall be implemented prior to the increased use hereby permitted commencing and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

Use of Basement

- 6) The basement room shall be used as storage room only and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

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



West Northamptonshire Council

Title: 35 Hood Street

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Scale: 1:1,250

Drawn by: D.Jaskulska