



Planning Committee Report

Committee Date: 1st June 2021

Application Number: N/2021/0268

Location: 13 Edith Street

Development: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

Applicant: Ms Hanna

Agent: Archi-tec Architectural Design

Case Officer: Kanchan Sharma

Ward: Castle Unitary Ward

Referred By: Councillor D Stone

Reason for Referral: Overdevelopment and impact on character of area

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people.

Consultations

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

- Councillor D Stone

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

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

3 letters of objection have been received.

The key issues arising from the application details are:

- Principle of Development
- Amenity

- Highway Safety

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 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, 3 bedroom property on Edith Road located in a residential area with similar terraced properties on the street. The application site is located in the designated Boot and Shoe Quarter Conservation Area.
- 1.2 The site is in close proximity to Wellingborough Road and Billing Road, which includes retail and commercial units and is in close proximity to a main bus route.
- 1.3 The application site lies in Flood Zone 1, which means very low risk of flooding.

2. CONSTRAINTS

- 2.1. The application site is subject to an Article 4 Direction which removes permitted development rights in relation to a change of use to a House in Multiple Occupation (HIMO)
- 2.2. Located in Boot and Shoe Quarter Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people. Parking would be on-street. No external alterations other than a replacement window are proposed as part of the application.

4. RELEVANT PLANNING HISTORY

- 4.1. No relevant planning history.

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 Northampton Local Plan (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)

- 5.3. The relevant policies of the LPP1 are:

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

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

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

- Policy E20 – Design for new development
- Policy E26 – Conservation of heritage assets
- Policy H30 – Multi-occupation with a single dwelling

Material Considerations

- 5.5. 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:
 - Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.
 - Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
 - Paragraph 193- great weight to be given to conservation of heritage assets
- 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

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
Private Sector Housing	The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO would meet the requirements for a 4 occupant HMO.
Highway Engineer	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. 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.
Cllr D Stone	Calls in the application on the grounds of overdevelopment and unbalancing the make-up of the community.
Town Centre Conservation Area Advisory Committee	Regret the loss of a family home and request the application to be determined as per the requirements of polices for HIMOs.
Conservation Officer	No alterations to the external appearance of the property are indicated and the proposal will not affect the appearance of the Conservation Area.

7. RESPONSE TO PUBLICITY

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

7.1. 3 objections have been received raising the following comments:

- Increased number of residents increases fly tipping.
- Parking issues
- Transient nature of occupants undermines the sense of community.
- Have been numerous problems with the Police called out to HIMOs.
- Permitted number of HIMOs in the vicinity has been exceeded.
- High density is not sympathetic to the nature of a residential area.
- Anti-social behaviour

8. APPRAISAL

Principle of Development

- 8.1 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

- 8.2 Council records evidence that there are 7 other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to 7.9 % concentration. There is another live planning application within the 50m radius, which if it were approved would take the concentration to 8.9%. In both scenarios, concentration would fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area and a balance of community.

Size of the property and facilities for future occupiers

- 8.3 Policy H30 of the Northampton 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 Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur.
- 8.4 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 4 occupant HIMO. All bedrooms would be served by adequate outlook and light.

Flood Risk

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

Highways/Parking

- 8.6 The application proposes no onsite parking to serve the property. 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.

- 8.7 No parking beat survey was submitted with the application; however, the applicant has provided a Sustainability Statement which sets out the sustainable location of the application site in relation to proximity to public transport and facilities. 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 located within 300m of the nearest bus stop on Wellingborough Road to the north of the site. 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 Northampton Parking Standards SPD (2019).
- 8.8 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. Details of cycle storage have been submitted and will be required by condition to ensure compliance with this principle of the SPD.
- 8.9 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that a HIMO should provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. However, there is no evidence to support that all the residents would own cars.
- 8.10 It is noted that Edith Street is within a parking restricted zone and the number of permits provided by the Highway Authority would be controlled.
- 8.11 Regard must also 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.
- 8.12 Overall, 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

- 8.13 Details have been submitted for refuse in the rear amenity space, which are deemed acceptable and would be secured by condition.

Amenity

- 8.14 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.

Heritage Assets

- 8.15 The application property is located in the Boot and Shoe Quarter Conservation Area and, therefore, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, with great weight given the conservation of the heritage asset.
- 8.16 The only external alteration proposed is a replacement window to the rear. As such and given that the Conservation Officer does not object to the application, it is considered that the proposal would not impact on the character or appearance of the Conservation Area.

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 upon the character of the local area, street scene or the conservation area. 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 In light of the above, 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 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 plan: H86 - 1A.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.
 3. The development hereby permitted shall be occupied by a maximum of 4 residents at any one time.

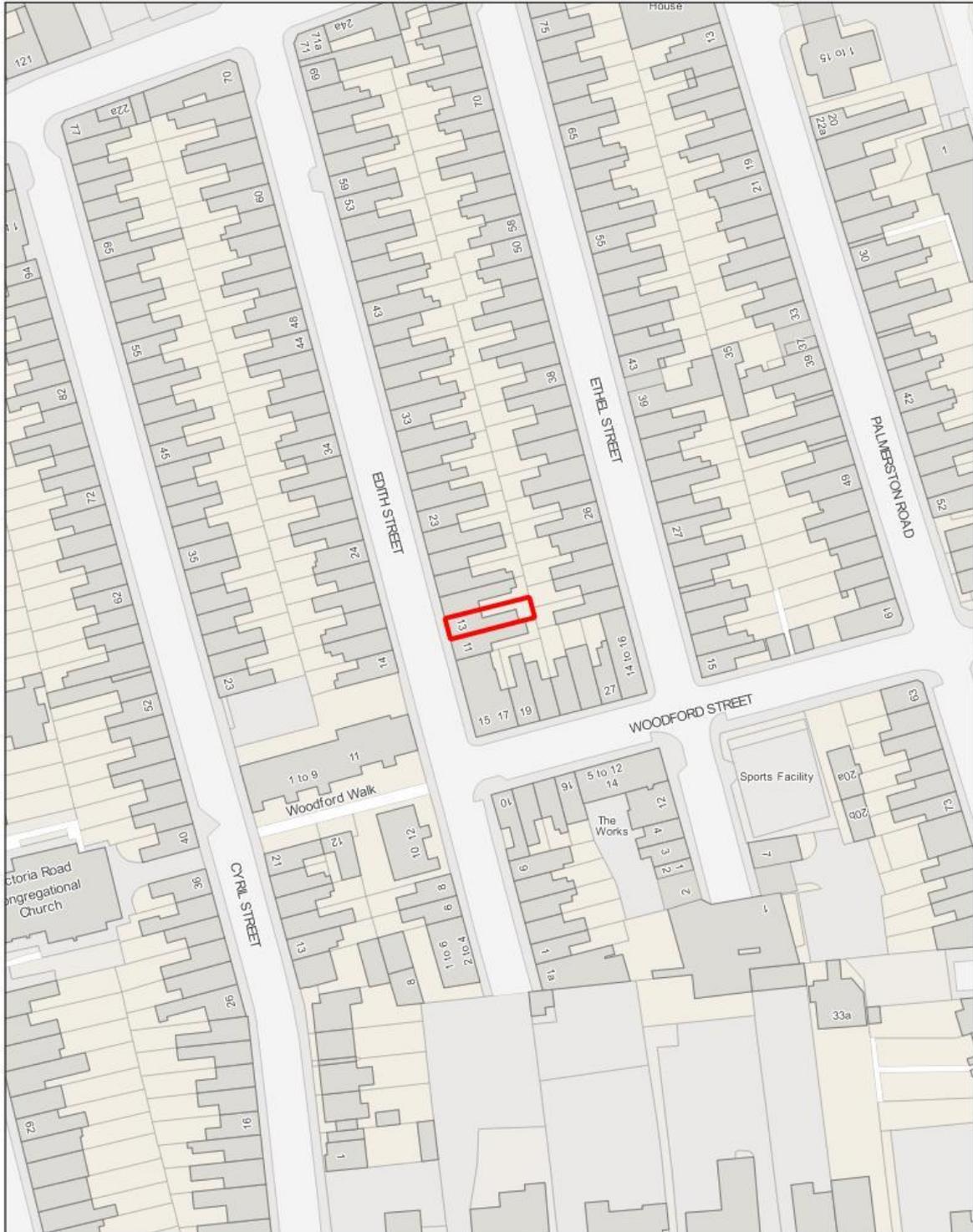
Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy
 4. Development shall be carried out in accordance with the submitted details for refuse and recycling storage as shown on the approved plan and shall be 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.

5. Development shall be carried out in accordance with the submitted details for secure cycle storage and shall be 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.



**West
Northamptonshire
Council**

Title: **13 Edith Street**

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Scale: 1:1,000 @A4

Drawn: M Johnson