



Planning Committee Report

Committee Date: 5th April 2022
Application Number: WNN/2022/0102
Location: 104 Wycliffe Road, Northampton
Development: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

Applicant: Mr Lay
Agent: Archi-tec Architectural Design
Case Officer: Jonathan Moore

Ward: Abington and Phippsville Unitary Ward

Referred By: Councillor Z Smith

Reason for Referral: Overdevelopment, impact on parking and amenity

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Permission is sought for the change of Use from an existing family dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. The proposal includes provision of bin and cycle storage to the rear of the property. There are no other external works proposed. The proposal includes three single bedrooms and one double occupancy bedroom as part of the layout over two floors.

Consultations

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

- Local Highway Authority
- Northampton Town Council
- Councillor Zoe Smith

Objections from 5 separate addresses 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
- Amenity
- Highway Safety

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 located in an established residential street to the south of and within walking distance of the Wellingborough Road Local Centre. The site is in a low risk flood zone.

2 CONSTRAINTS

- 2.1 None

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for conversion of an existing 3-bedroom dwelling to 5 person HIMO with no external changes proposed to the building, The proposed layout includes a bedroom, living area WC and kitchen/utility room at ground floor and 3 bedrooms (including one double) and a bathroom upstairs. The proposal includes bin and cycle storage to the rear immediately adjacent to the property.

4 RELEVANT PLANNING HISTORY

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

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

West Northamptonshire Joint Core Strategy (Local Plan Part 1) (LLP1)

5.2 The relevant policies of the LPP1 are:

- Policy H1 Housing Density and Mix
- Policy H5 Managing Housing Stock
- Policy S10 Sustainable Development Principles
- Policy BN7 Development and Flood Risk
- Policy BN9 Planning and Pollution Control

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.3
- Policy E20 Design of new development
 - Policy H30 Houses in Multiple Occupation

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:

- 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.

Northampton Local Plan Part 2 (2011-2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 1 – Presumption in favour of sustainable development (Significant weight)
- 2 – Placemaking (Moderate weight)
- 3 – Design (Moderate weight)
- 4 – Amenity and layout (Moderate weight)
- 15 – Delivering houses in multiple occupation (Significant weight)
- 33 – Highway network and safety (Significant weight)
- 35 – Parking standards (Significant weight)

- **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
Northampton Town Council	Object on ground of parking and traffic, overdevelopment and already too many HIMOs in area
Local Highway Authority	<p>The local area is known to be heavily parked, with little to no residual parking capacity available on street. The proposed development is likely to increase the parking demand when compared to the existing use. Although this may be considered a minor increase, the cumulative impact of multiple HiMO developments being approve in a localised area can have a significant impact on local residential amenity. This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices.</p> <p>If the proposed development site falls within 400m of a local centre with general facilities, and or a bus stop with a half hourly 7:00am to 9:00pm service then the site may be considered sustainable in terms of transport.</p> <p>However, whilst this may reduce the number of car trip, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area, along with the associated issues outlined above.</p> <p>Parking for houses in multiple occupation should ideally be</p>

	<p>provided on site parking at the rate of 1 parking space per bedroom, however it is not possible to increase the parking provision in this instance.</p> <p>Given all of the above, the LHA have serious concerns that this development proposal can be considered acceptable, given the in practice, and resulting scenarios detailed above.</p> <p>Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process.</p> <p>The LPA should consider all of the above matters in respect of highway safety and safe practice along with the residential amenity of the local residents.</p>
Private Sector Housing	Comments awaited
Cllr Zoe Smith	Objects on over-development, parking and effect on residential amenity

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 Five representations have been received, all raising objections to the application. A summary of the comments is provided below.

- Parking
- Traffic issues
- Living near HMO is nightmare
- Impact on residential amenity
- Noise
- Anti- social behaviour
- Refuse issues
- Impact on community

8 APPRAISAL

Principal of Development

8.1 The conversion of the existing dwelling to a 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 on the character of the area and the amenity of residential areas.

8.2 The principle of development is therefore considered to be acceptable, subject to assessment of the matters set out below.

Area Concentration

8.3 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMOs. Principle 1 of the SPD seeks to create, support and maintain a

balanced, mixed and inclusive community and protect the neighbourhood and streetscene 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.

- 8.4 Policy 15 of the emerging Local Plan 2 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 dwellinghouses 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. Emerging Policy 15 is considered to carry significant weight. It is to be noted that there have not been any proposed main modifications to this policy as part of the Local Plan 2 examination process.
- 8.5 Council records evidence that there are 5 other HMOs within a 50m radius of the application site. The use of this property as a HMO would therefore equate to only 7.1 per cent concentration. It is considered therefore that there would still be a reasonable mixture of house types and uses within the area and a balance of community.
- 8.6 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 H30 of the Northampton Local Plan, the HMO SPD and Policy 15 of the emerging Local Plan Part 2.

Size of the property and facilities for future occupier

- 8.7 The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HMO Facilities and Amenities Guidance and appropriate kitchen/dining, 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. The proposal would meet the requirements for a 5 occupant HMO. All habitable rooms would be served by adequate outlook and light.

Development and Flood Risk

- 8.8 The site lies in Flood Zone 1 and is therefore classified as being at the lowest risk of flooding. There is also no basement to the property that could be impacted upon. The proposal would therefore comply with Policy BN7 of the JCS.

Highways/Parking

- 8.9 The property does not have any dedicated off-street parking space. 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 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.

- 8.10 The Local Highway Authority note that the area has a lack of parking and a parking beat survey is recommended to be undertaken. No parking beat survey has been submitted with the application, however, it is considered that the application site is in a sustainable location within approximately 220 metres of the nearest bus stop on Wellingborough Road with a regular service and is within walking distance of the Local Centre. 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).
- 8.11 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. No details other than the location of cycle storage have been submitted with the application but there is enough space in the rear garden to accommodate a cycle store. Therefore, a condition is recommended to provide further details.
- 8.12 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that an HIMO should provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for two additional parking spaces in comparison to the existing permitted use.
- 8.13 However, 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. 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, the existing authorised use 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

- 8.14 Provision for refuse storage is indicated in the rear garden and is deemed acceptable and would be secured by condition. This would accord with Policy H1 of the Joint Core Strategy in respect of appropriate amenity provision.

Amenity

- 8.15 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 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.

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 HMOs within the locality and would not adversely affect the character of the local area and streetscene. Furthermore, the development would not have any significant adverse impact on highway safety or result in any undue detriment to the amenity of neighbouring property. The property is of sufficient size to accommodate the level of occupancy 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, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, Policy 15 of the emerging Local Plan Part 2 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.

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: L47/1

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

Occupancy

3. The development hereby permitted shall be occupied by a maximum of 5 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.

Refuse Storage

4. The refuse storage shall be provided as shown on the approved plans prior to the first use of the property hereby permitted 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.

Cycle Storage

5. Notwithstanding the submitted plans, full details for the provision of secure cycle storage shall be first submitted to and approved in writing by the Local Planning Authority, 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.
