

PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0647

LOCATION: 39 Wycliffe Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension

WARD: Abington Ward

APPLICANT: NV Pro Limited
AGENT: Architectural Solutions

REFERRED BY: Councillor Z Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development is considered acceptable without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for a change of use of an existing 3 bedroom dwelling to a 5 person House in Multiple Occupation (HIMO) and includes the erection of a single storey rear extension.

3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. There is a garden to the rear and parking is on-street.

4 PLANNING HISTORY

4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

The 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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

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 15% of HIMOs within a 50m radius;
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- To secure provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted floor plans show that the proposals would meet the requirements for five occupant HIMO (*confirm also that this would still be the case with the amended plans*).
- 6.2 **Local Highway Authority** – Request that a parking beat survey is carried out. The applicants have declined to do a survey and the Local Highway Authority have confirmed that they therefore object to the application due to the failure to demonstrate that the increase in demand for parking spaces will not negatively impact upon highway safety.
- 6.3 **Councillor Z Smith** – Requests call-in of the application on the grounds that it will exacerbate existing parking problems and that five occupants is excessive.
- 6.4 Representations received from the occupants of two neighbouring properties, in response to original and revised plans, making the following points in summary:
- The proposal is impractical and inconsiderate of the existing character of the street.
 - The rear extension is wholly out of character with the existing make-up of the street, gardens are used as family areas not bin compounds.
 - Application is contradictory as states there would be no impact but also that this could be mitigated by a 2m fence.
 - Did not expect to be neighboured by a proposal of such scale and magnitude.
 - Parking is oversubscribed and have to park 2 or 3 streets away.
 - Proposal would generate additional parking demand which could not be accommodated.
 - Increase in toilets will generate significant waste and noise.
 - The extension together with cycle store would impact on light to the neighbouring garden and rear window.
 - All rooms could accommodate double beds, increasing occupancy to 10.
 - Waste storage arrangements are impractical.
 - In response to amended plans: Previous objections still stand, there appear to have been no significant changes.

7 APPRAISAL

Principle of the development

- 7.1 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

- 7.2 Records indicate that there are 9 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 12.6%, which is in compliance with the IPPS.

Size of the property and facilities for future occupiers

- 7.4 All bedrooms, the living room, kitchen and bathroom are of sufficient size, when judged against the standards in the HIMO interim policy. The layout has been adjusted during the course of the application giving most of the bedrooms over 10 square metres floor area.
- 7.5 Comments from Private Sector Housing indicate that the proposals meet their requirements and that this remains the case following amendments to reduce the size of the rear extension.
- 7.6 The occupancy would be restricted by condition to five occupants and therefore the scenario envisaged by objectors of the occupancy doubling would not occur.

Flood Risk

- 7.7 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.8 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.9 In this case the site is within 400m of the nearest bus stops on Billing Road, and is also within a reasonable walking distance of the local shopping centre on Wellingborough Road. This criterion of the IPPS is therefore met and parking would not be required.
- 7.10 A further relevant consideration is the Northamptonshire Parking Standards which state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 3 compared to the requirements of 2 spaces for the current 3 bedroom dwellinghouse use.
- 7.11 However, in practical terms it can be noted that the current use as a 3 bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 5 proposed residents would own cars.
- 7.12 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. Therefore, notwithstanding the objection from the Local Highway Authority it would be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.13 In accordance with the IPPS, the provision of secure cycle storage is required. Precise details of this have not been included with the application and therefore a condition requiring such details is proposed.

Refuse Storage

- 7.14 The submitted plans indicate a refuse storage container within the rear garden area and a condition requiring that this is provided as shown and thereafter retained is proposed.

Impact on adjoining occupiers as a result of the single storey extension

- 7.15 The proposal also includes a single storey extension. This would project 4.8m from the main rear wall of the dwelling but in respect of no. 37 Wycliffe Road would project only 3.47m beyond the

rear of the attached outbuilding at no. 37. The extension would be of a flat roof design with a roof height of 2.8m.

- 7.16 As originally proposed, the extension was to be only 0.8m from the boundary with the neighbour at no. 41 Wycliffe Road. It was considered that this was not acceptable and would have resulted in a significant impact on that neighbour due to visual dominance and overshadowing of windows and the small garden area. Amendments have therefore been sought and the extension would now be 1.346m from the boundary. It is considered that this change would be sufficient to overcome the adverse impact on this neighbour, as the extension would be almost in line with the rear wing. As noted by the applicant's agent, a 2m high fence or wall could be constructed under permitted development rights along the boundary and it is considered that this would result in a similar impact, in terms of loss of light. On this basis the impact of the extension is also considered acceptable.
- 7.17 The extension would be adjacent to the boundary with the neighbour at no. 37 Wycliffe Road. No. 37 has a small lean-to, to the rear elevation and this has only a door to an inner lobby and no windows to habitable rooms, meaning there would be no direct loss of light to such rooms, whilst any indirect loss whilst the rear door is open would be minimal. The extension would project 3.47m beyond the rear of the lean-to and it is considered that this would not result in an unduly dominant feature in respect of this neighbouring garden. The cycle store as shown would be adjacent to this boundary but this could potentially be a lightweight clear structure which would not have any significant impact. This can be ensured by means of the condition as referred to above.

Amenity

- 7.18 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.

8 CONCLUSION

- 8.1 The proposed change of use to a 5 person HIMO together with the construction of a single storey extension would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the IPPS, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

9 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: 19/K95/2d.

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 5 residents at any one time.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

4. Provision for the storage of refuse and materials for recycling shall be made as shown on the approved plans prior to the first occupation of the premises as a house in multiple occupation and thereafter retained.

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.

5. Full 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 premises being first brought into use as a house in multiple occupation and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

6. The external walls of the extension shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be installed in the flank elevations of the proposed extension.

Reason: To safeguard the privacy of adjoining properties in accordance with Policies E20 and H18 of the Northampton Local Plan.

8. The use as a House in Multiple Occupation for five persons shall not be commenced until the extension hereby approved, together with associated internal alterations, have been completed in accordance with the approved plans.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

9. The basement shall be used for storage only and shall not be used as a bedroom or habitable room at any time.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

10 BACKGROUND PAPERS

- 10.1 Application File N/2019/0647

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

