



PLANNING COMMITTEE: 19th November 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1210

LOCATION: 51 Adnitt Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension (Amendment to Planning Permission N/2019/0607)

WARD: Abington Ward

APPLICANT: Century Assets
AGENT: Architectural Solutions

REFERRED BY: Councillor Z Smith
REASON: Number of occupants and refuse 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 as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding the existing lack of off road parking, the site is in a sustainable location close to Wellingborough Road and is closed to bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The design of the rear extension and resultant neighbour impact is also considered acceptable. The proposal thereby complies with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

2 THE PROPOSAL

2.1 Permission is sought to convert a vacant family dwelling into a House in Multiple Occupation for 6 persons (Use Class C4). This is a revised planning application following approval for a 5 person HIMO under planning permission N/2019/0607 granted in July 2019 by the Planning Committee.

- 2.2 The current application includes an additional bedroom at ground floor level, removing the lounge from the previously approved scheme. The proposal includes three ground floor bedrooms and a kitchen with three bedrooms above. The proposal also includes a flat roof single storey rear extension to provide an additional bedroom 5.8m deep with the same size and design as the previous application.
- 2.3 All proposed bedrooms are in excess of 10 square metres internal floor area and 4 include en-suite bathrooms, with the 2 other bedrooms sharing 1 bathroom.

3 SITE DESCRIPTION

- 3.1 The site consists of a terraced property located along a residential street of similar uses. There is private amenity space to the rear enclosed on three sides some 15 metres long. The property has a basement used as a storage room. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street.

4 PLANNING HISTORY

- 4.1 N/2019/0607 Permission for change of use from dwelling (Use Class C3) to house in multiple occupation for 5 occupants (Use Class C4). Including single storey rear extension

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), Northampton Local Plan (1997) saved policies.

6 National Policies

- 6.1 **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 72 - ensure a variety of homes meet needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future occupiers

6.2 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:

H1 - Housing Density, Mix and Type of Dwellings
H5 - Managing the existing Housing Stock
S10 - Sustainable Development Principles
BN7 - Flood Risk

6.3 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:

E20 New development (design)
H30 Houses in multiple occupation

6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Residential Extensions and Alterations Design Guide SPD 2011

6.5 **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 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Private Sector Housing:** the premises will require licensing under Mandatory License Scheme. Room sizes are adequate for single persons at minimum of 6.51 square metres internally. Where there is no living room, rooms need to exceed 10 square metres each for single persons. Comment on kitchen facilities and fire safety measures.
- 7.2 **NBC Public Protection:** no objection to make.
- 7.3 **Northamptonshire Highways:** The Local Planning Authority must satisfy themselves that the likely increase in number of vehicles would not have an adverse impact on amenity of existing residents on Adnitt Road.
- 7.4 **Councillor Zoe Smith:** called in and object as number of occupants is excessive and consider that there are refuse problems in the area.

8 **APPRAISAL**

Principle of the 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 8.2 Council records evidence that there are 8 other HIMOs (out of 101 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 8.9 % concentration (9 out of 101) and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered

therefore that there would still be a reasonable mixture of house types within the area. The level of concentration remains unchanged from the previous planning permission.

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 HMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light via existing window openings.
- 8.4 Private Sector Housing has advised that they will be satisfied with the proposed accommodation is suitable for 6 residents. All the proposed bedrooms are significantly larger than the minimum standard set down in the IPPS and therefore a satisfactory level of residential amenity would result. In addition, the proposed kitchen window would be partly obscure glazed to avoid potential impact on privacy for the occupier for Bedroom 6.

Flood Risk

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

Highways/Parking

- 8.6 The Interim Planning Policy Statement for HMOs (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.
- 8.7 The application property is located within easy walking distance to facilities in Wellingborough Road and within 90 metres of a bus stop on Stimpson Avenue and close to Wellingborough Road and is considered to be in a very sustainable location. It is worth noting that on a typical day there are approximately 4 bus services an hour serving the site with the town centre. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring full details to be submitted for approval for secure cycle storage.
- 8.8 A further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 parking spaces, which is an increase of 4 as compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. The Local Highway Authority comment that the LPA must satisfy themselves that that the impact of parking on amenity is acceptable.
- 8.9 Regard must be paid to recent appeal decisions over the past few months 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. It is not considered that a refusal ground on the lack of car parking would be sustainable on appeal.

Refuse storage

- 8.10 There is sufficient space to the rear of the property for bin storage as indicated on the submitted plans. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.

Amenity

- 8.10 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.

Design and impact on appearance and character of host building and wider area

- 8.11 Given that the proposed extension, which would project 5.8m to the rear, would be screened from Adnitt Road behind the existing house, there would be no effect on the street scene. While the flat roof design is not ideal, it would nonetheless reduce the bulk and would be acceptable in terms of materials, size and appearance, any approval would be subject to matching materials to ensure a satisfactory appearance.

Impact on adjoining occupiers from single storey rear extension

- 8.12 The main impact from the proposed rear extension would be on the rear of the two adjoining occupiers at nos. 49 and 53 Adnitt Roads. In terms of no. 49, even though the extension would project 4.4metres beyond its rear elevation, the effect would appear to be on a non-habitable room (WC/utility) and therefore loss of residential amenity would be less of a concern.
- 8.13 In terms of no. 53 Adnitt Road, the proposed extension would have an impact on the ground floor rear windows and two side windows facing the site, the side windows serving an existing kitchen. However, the extension would be set off the boundary by 1.2 metres and the existing conservatory would be removed which currently extends along the boundary line. Given this and noting that there would be some loss of outlook, there is an existing boundary fence around 1.8m high which acts as a partial screen and the impact would not be considered to be overly significant. This same view was taken on the previous planning application.

9 CONCLUSION

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local 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 and would not impact adversely on flood risk.
- 9.2 Compared to the permission for 5 occupiers, the proposal is slightly more intensive however the additional effect of one more person would not justify a refusal of planning permission. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

10 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: 18/K86/11A received on 30 October 2019 and 18/K86/12.

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

3 The maximum number of occupiers shall not exceed six 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.

4 Prior to the occupation of the development, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

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

5 Prior to the occupation of the development, 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 development being first brought into use 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 and the National Planning Policy Framework

6 The basement shall only be used as storage and not be converted to a bedroom or habitable room at any time throughout the life time of development

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

7 The property shall not be occupied as a six person house in multiple occupation until the rear extension hereby approved is complete in accordance with the approved plans.

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

8 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 S10 of the West N Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

9 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 additional windows shall be installed in the side facing elevations of the proposed extension.

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

10 The proposed side facing en-suite window in the rear extension shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with Policy E20 of the Northampton Local Plan.

11 The proposed replacement kitchen window indicated on the approved plan shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent to a height

of 1.7 metres above internal floor level and shall be implemented prior to the first occupation of Bedroom 6 and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining bedroom in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

9 BACKGROUND PAPERS

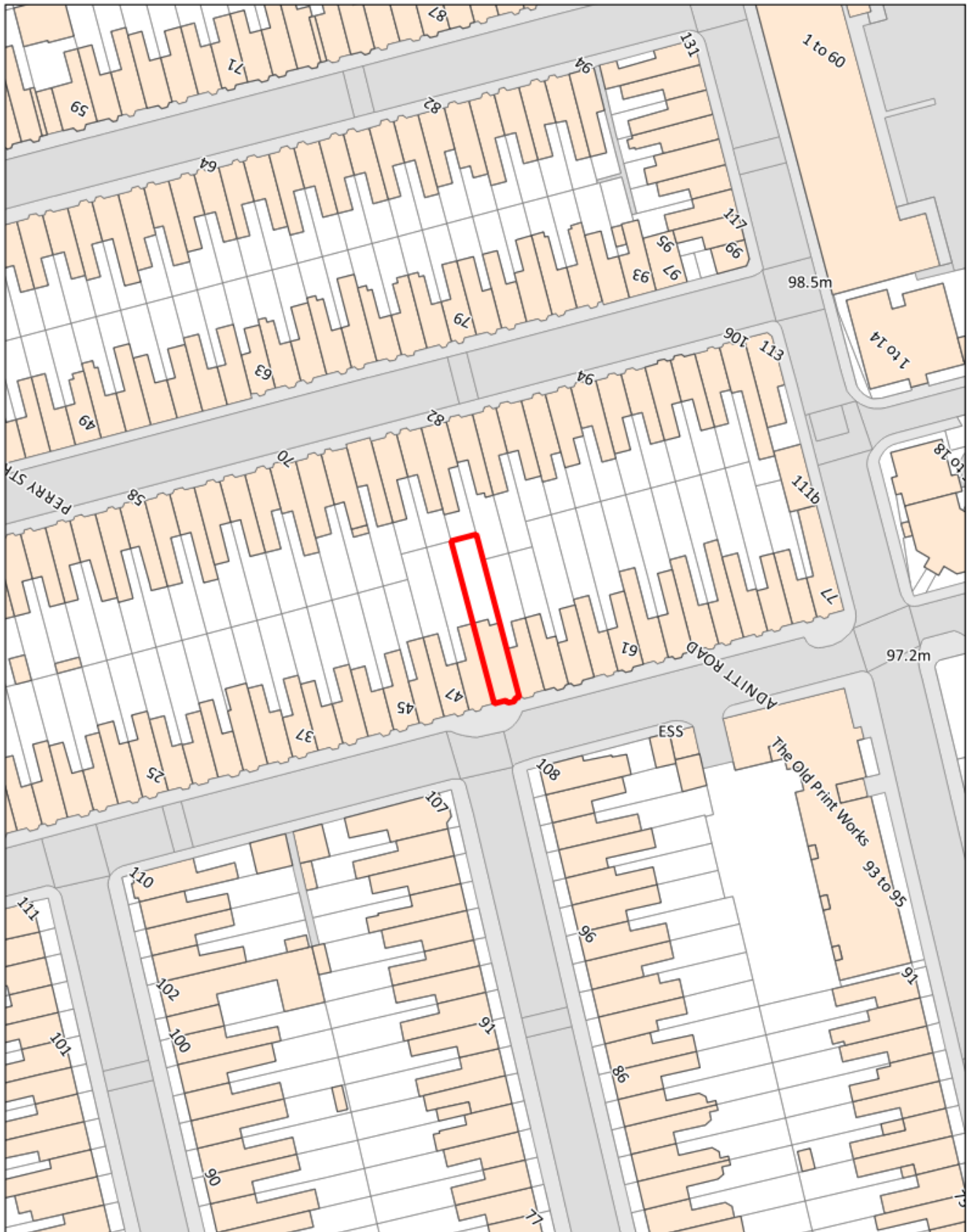
9.1 N/2019/1210 and N/2019/0607.

10 LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

11.1 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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **51 Adnitt Road**

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