

PLANNING COMMITTEE: 17th December 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1372

LOCATION: 125 Upper Thrift Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

WARD: Abington Ward

APPLICANT: Messers Scarth
AGENT: Mr Simon Ackerman

REFERRED BY: Councillor Z Smith
REASON: Parking 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 principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 5 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to Wellingborough Road local centre. Upper Thrift Street is also within a short walk to the town centre. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

- 2.1 Permission is sought for a change of use from a 3-bed dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people in 5 bedrooms. Parking would be on-street.
- 2.2 The proposal would involve reconfiguration internally and cycle storage to the rear garden. No external alterations or extensions to the property are proposed.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two-storey end of terrace 3-bedroom property located on Upper Thrift Street. This is a residential area set off the Billing Road, surrounded by similar property types, except for a block of 22 flats and their associated private car parking located opposite.
- 3.2 Parking is generally on street.
- 3.3 The application site falls within the boundary of the Billing Road Conservation Area and within a low risk flood zone.

4 PLANNING HISTORY

- 4.1 None relevant or recent.

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 the Northampton Local Plan (1997) saved policies.

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.

National Policies

- 5.2 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 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.

Section 12 – seeks to achieve well designed places

- 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

Policy BN5 – Heritage Asset

Policy BN7 – Flood Risk

- 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:

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HIMO's 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 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Z Smith** – raises an objection based on the proposal being likely to exacerbate existing parking and refuse problems in this area. Calls in the application for consideration by the Planning Committee.
- 6.2 **Conservation (NBC)** – no objection raised.
- 6.3 **Highway Authority (NCC)** – no objection raised although advises that the applicant undertakes an on-street car parking beat survey. This is to determine if any car parking spaces are available on Upper Thrift Street, Billing Road (Between Lower Thrift Street to the end of the lay-by approximately 50m east of Upper Thrift Street, South Street (from the junction with Lower Thrift Street to its eastern extent).
- 6.4 **Private Sector Housing (NBC)** – The applicant should be advised that the premises will require licensing under the mandatory licensing scheme. The property is suitable for 5 people in 5 households, subject to the rooms being of adequate sizes. Fire protection, detection and alarm systems will be required to meet the appropriate standards.
- 6.5 Objections and comments raised from neighbouring and surrounding properties and are summarised below:
- Parking is crowded on Upper and Lower Thrift Streets between 7am-5pm
 - Multiple occupancy causes problems such as crime and traffic
 - Making a family homeless
 - Increase in crime would be likely
 - A lot of HIMO's in the area already

- Not fair on families and elderly
- Parking is not allowed in the private access road which serves properties on Billing Road

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 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

- 7.2 The property is one of two HIMOs within a 50m radius around the application site and the area concentration is 3.8%. This is therefore below the threshold of 10% under the Houses in Multiple Occupancy SPD.

Size of property and facilities for future occupiers

- 7.3 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 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. Private Sector Housing have confirmed that the room sizes, amenities and facilities are acceptable. 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 be used as a storage area only.

Highways/Parking

- 7.4 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.
- 7.5 No parking beat survey was submitted with the application, however the applicant has acknowledged that parking can be limited during the daytime due to workers parking on Billing Road and surrounding areas where there is free parking. Notwithstanding this, it is considered that the application site is in a sustainable location within 400 metres of bus stop with buses heading to the town centre and rail station every 30 minutes. The site is also located within 15 minutes walking distance of the town 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 Parking Standards SPD.
- 7.6 The application site has sufficient space to the rear to accommodate secure cycle storage. Details of this can be secured by a condition.
- 7.7 However, regard must be paid to recent appeal decisions over the past few weeks 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.

- 7.8 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, it is not considered that a refusal on highway grounds could be upheld at appeal.

Amenity

- 7.9 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.

Refuse

- 7.10 Details have not been submitted for refuse storage, however it is considered that there is enough space in the rear garden to accommodate refuse storage. A condition has been recommended to secure details of the refuse storage and ensure the arrangement is retained. There is rear access to the garden which would allow refuse to be put out the front of the property on refuse collection days.

8 CONCLUSION

- 8.1 The proposed development not lead to significant adverse impacts on neighbouring amenity and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, 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 Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

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: S102 – 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 five 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. Notwithstanding the submitted plans and prior to the occupation of development, further details of facilities for the secure and covered parking of at least 5 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: 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. Notwithstanding the submitted plans and prior to the occupation of development, further details of facilities for refuse and recycling storage 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: 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.

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to first occupation for the use hereby approved, the wall to the kitchen and living room shall be moved in accordance with approved plan S102 – 1A.

Reason: In the interests of residential amenity in accordance with the National Planning Policy Framework and Saved Policy H18 of the Northampton Local Plan 1997.

10 BACKGROUND PAPERS

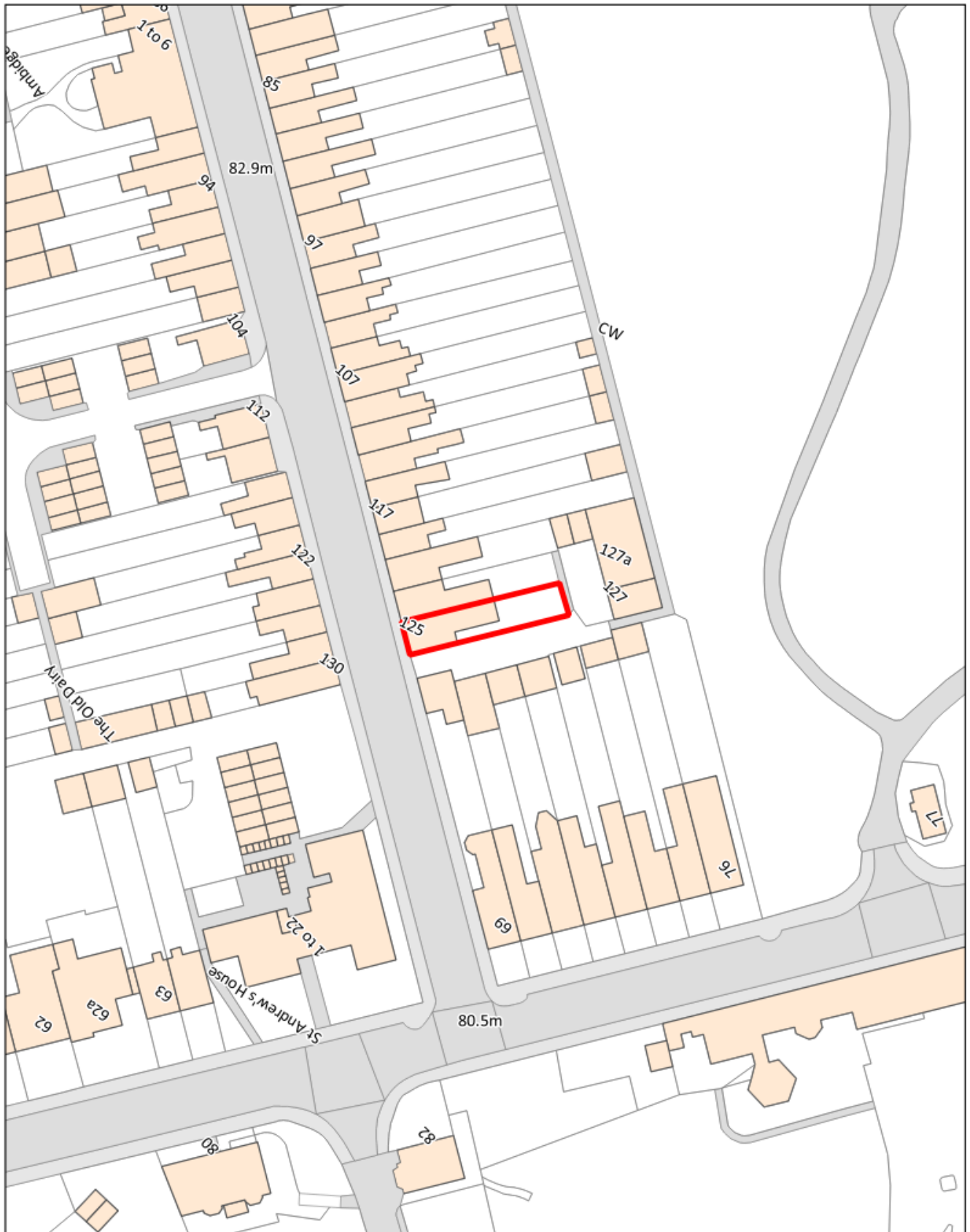
- 10.1 N/2019/1372.

11 LEGAL IMPLICATIONS

- 11.1 The development is 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.



Title: **125 Upper Thrift Street**

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Date: 02-12-2019

Scale: 1:800

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