

PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1395

LOCATION: 17 Holly Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants plus the insertion of a new rear door

WARD: Abington Ward

APPLICANT: Mr V Kryshinets
AGENT: Architectural Solutions

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 proposed development is considered acceptable as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants, would not be at risk from flooding and would not adversely impact on parking. The site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. 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 Policy H30 of the Northampton Local Plan, Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

- 2.1 The 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 5 people. Parking would be on-street.
- 2.2 No external works had been proposed as part of the current application, apart from a new door to be installed.

- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced, 3 bedroom property on Holly Road located in a residential area with similar terraced properties on the street.

- 3.2 The site is in close proximity to Kettering Road, which includes retails and commercial units and a major bus route.

- 3.3 The application site lies in Flood Zone 1, which means very low risk of flooding.

4 RELEVANT PLANNING HISTORY

- 4.1 **N/2002/850** - Single storey rear extension. Approved.

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:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community would be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

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 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:

Policy E20 – Design for new development

Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards 2016

Northampton Parking Standards (November 2019)

Houses in Multiple Occupation SPD (November 2019)

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 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** – No comments to make other than recommending an informative restricting hour of construction.
- 6.2 **NBC Conservation** - No objection on conservation grounds; provided the use will not result in a concentration of HIMOs in the street, then it will have a neutral impact on the historic character of this part of the Boot and Shoe Quarter Conservation Area. No alterations to the external appearance of the property are indicated and the street scene will not be affected.
- 6.3 **NBC 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 5 occupant HMO.
- 6.4 **Councillor Z Smith** – Calls in the application on the grounds it is likely to exacerbate existing parking and refuse problems in the area.
- 6.5 **NCC Highways** - raised concerns that whilst this development proposal site is located in close proximity to the Kettering Road and public transport services available on this main road, it is likely that residents of the proposed accommodation may be vehicle owners. The local planning authority must therefore be mindful that any further vehicles attracted to this area, either resident, or visitors to the site, will add pressure to the availability of on street parking currently enjoyed by existing residents, who largely park their own vehicles on the carriageway, as such the amenity of the local residents is likely to be compromised.
- 6.6 9 Representations received from 8 neighbouring properties, the comments have been summarised as follow:
- This road and the adjoining road Abington Avenue have an increasing number of such houses.
 - Puts added pressure on parking.

- Increased number of residents increases fly tipping.
- Transient nature of occupants undermines the sense of community.
- Highway safety issues have been raised repeatedly.
- Cars are double parked every evening blocking the way for emergency vehicles.
- Currently 10 licenced HIMOs on Holly Road.
- Previous planning conditions on other HIMOs in the road have been ignored.
- Number of HIMOs granted in Holly Road has had a real detrimental effect on the street.
- 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.

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 5 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 8.7% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD. There is a mix of dwelling houses and a flatted development on Holly Road, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.
- 7.3 Concerns have been raised by the local residents about the over-concentration of HIMOs in the local area. It is confirmed that the concentration is calculated on the basis of Planning and Planning Enforcement records, Private Sector Housing HIMO register. As per these records, there are no other approved or established HIMOs within the 50m radius of the application site.

Size of the property and facilities for future occupiers

- 7.4 All 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.
- 7.5 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 5 occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement, so a condition has been recommended to use it only as a storage area.

Flood Risk

- 7.6 The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

- 7.7 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.

- 7.8 Parking beat survey is not submitted with the application, so a further consideration has been given to the access to the available bus routes.
- 7.9 It is considered that the application site is in a sustainable location within 270m of bus stops and within walking distance of local facilities on Kettering Road. There are 5 bus routes that pass through the bus stops and have service in every 10 minutes on Monday-Friday and 3 bus routes on Saturday on different routes, providing service in every 10 minutes. In this regard, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations.
- 7.10 The HIMO SPD 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 has been recommended to submit full details for the cycle storage. The proposal is, therefore, in compliance with Principle 1 of the HIMO SPD.
- 7.11 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 5 parking spaces, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.12 In the absence of on-site parking, the Principle 5 of the Northampton Parking Standards outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the Parking SPD in respect of parking considerations.
- 7.13 Highways Authority have raised concerns about the proposal as it would result in the additional pressure to the availability of on-street parking.
- 7.14 Notwithstanding this, 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.
- 7.15 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

- 7.16 The submitted plans indicate refuse storage in the front garden area and state also that this could alternatively be in the rear area. Either arrangement would be acceptable, and a condition is therefore recommended requiring full details to be submitted.

Amenity

- 7.17 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 development would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect upon the character of the local area, street scene, 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.
- 8.2 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 and the Council's Houses in Multiple Occupation SPD.
- 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: 19/K102/2 and 19/K102/3.

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) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the building for the use hereby permitted 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 and the National Planning Policy Framework.

- 5) Full details of facilities for the secure and covered parking of bicycles shall be first 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 be maintained as such for the duration of the use hereby permitted 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

10. BACKGROUND PAPERS

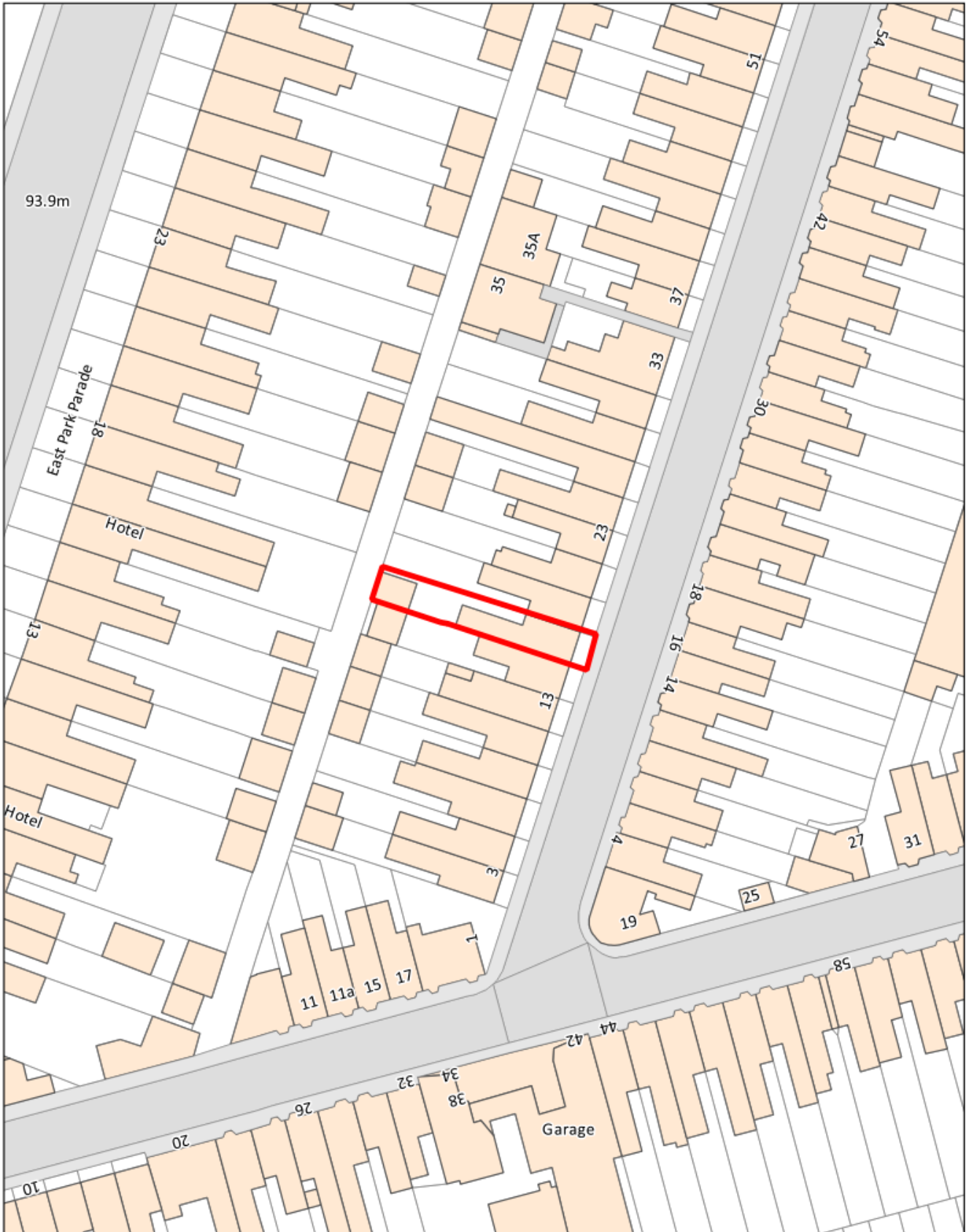
10.1 N/2019/1395.

11. LEGAL IMPLICATIONS

11.1 The development is not CIL chargeable.

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: **17 Holly Road**

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Date: 10-01-2020

Scale: 1:750

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