



PLANNING COMMITTEE: 17th March 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1604

LOCATION: 50 Manfield Road

DESCRIPTION: Change of use and alterations to existing dwellinghouse (Class C3) to house in multiple occupation (Sui Generis) for 7 occupants with the addition of a rear dormer window

WARD: Abington Ward

APPLICANT: Amoreiras Property Ltd
AGENT: N/A

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 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 7 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to Wellingborough Road local 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, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The proposal is for the change of use of a dwellinghouse into a 7-person house in multiple occupation (HIMO). All the bedrooms will have en-suite facilities. The proposed kitchen will be located in the basement.

2.2 The proposal also includes the installation of a rear dormer. Parking will be on-street.

3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. The application site has an additional access from Manfield Road to the rear yard and garden space.

4 PLANNING HISTORY

4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

5.2 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.

5.3 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.

5.4 National Policies

5.5 **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

5.6 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

5.7 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.

5.8 **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 HMOs 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 HMOs 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 **NCC Highways** – requested a parking beat survey be undertaken.

6.2 **Private Sector Housing** – the applicant should be advised that the premises will require licensing under the mandatory licensing scheme. The room sizes indicated on the submitted plans (both before and after amendments) would meet requirements for a 7 occupant HMO.

6.3 **Councillor Z Smith** – Calls the application into Planning Committee on the grounds that seven occupants is excessive, and it is likely to exacerbate parking issues in the area.

6.4 **Two neighbour representations** have been submitted from one neighbour with points as follows:

- Street is busy due to residents and local workers parking in this area.
- Potential for litter problems if tenants and/or landlords are not considerate of the neighbourhood.
- Many new homes built in this road in the last few years which do not have their own parking facilities.
- Sewage system is old and not designed for the number of people which will be increased by the proposed 7 occupant house.
- Must comply with the threshold for no more than 10% HMO within the defined area.

7 **APPRAISAL**

Principle of the development

7.1 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. Policy H5 of the JCS allows for HMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work. Within the 50m radius, there are currently 5 other HIMOs (established or with planning approvals) on Adnitt Road, Manfield Road and Allen Road.

7.4 Neighbour concerns have been raised about the number of HIMOs not exceeding 10%. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 6.9%. There are a total number of 87 residential properties within a 50m radius, and including the application site, 6 of these would be HIMOs. The proposed 6.9% concentration is within the threshold of 10% as described in the adopted SPD.

Size of property and facilities for future occupiers

7.5 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.

7.6 The property is considered to be of sufficient size, providing larger bedroom sizes (all upwards of 10m²) in accordance with the Council’s HIMO Facilities and Amenities Guidance. All bedrooms have en-suite toilets and showers which are considered to be appropriate facilities. The proposed kitchen would be over 16m², this would meet the requirement as stated in Principle 2 of the HIMO SPD 2019. There is also an additional storage room connecting with the kitchen/diner.

7.7 The kitchen/diner would be served by two relatively small higher-level windows (these would be street level at when viewed from the outside). Although these do not provide any outlook for occupants, they do provide sufficient natural light for a kitchen. It is considered that it would be sufficient for the kitchen to have this reduced outlook because each bedroom is large and served by sufficient number and size of windows, as a result, all occupants would have good outlook and space within their own bedrooms. In light of recent appeal decisions on HIMOs, it is considered that it would be acceptable for the shared kitchen to have a reduced outlook provided bedrooms have a good level of amenity. In addition, the kitchen would be located at a lower ground floor level (rather than a deep basement) and in this respect it would not be significantly difficult for occupants on the upper floors to access the kitchen.

7.8 A condition restricting the use of the property to a maximum of 7 people could be imposed. Private Sector Housing have confirmed that the proposals would meet the requirements for the proposal. All bedrooms would be served by adequate outlook and light.

Proposed Rear Dormer

7.9 The application proposes a rear dormer, this would measure 3m in width and 1.8m in depth. It is considered that this would be a modest size dormer window and located to the rear where matching external materials will be used. The proposal would not be considered to be visually intrusive on the streetscene. Properties either side would not be unduly overlooked, and flats located in Burlington Court are located more than 25m away. It is not considered that there would be any undue loss of privacy in this respect.

- 7.10 One front rooflight is provided to the front elevation which would provide additional natural light for the occupant of bedroom 7. This would not lead to an unacceptable impact in terms of design nor overlooking.

Flooding

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

Highways/Parking

- 7.12 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.
- 7.13 No parking beat survey has been submitted with the application, however the applicant has submitted an assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. During a site visit, it was clear that there was some pressure on parking on Manfield Road, particularly close to Wellingborough Road. There was parking present on roads further afield. An objection has been received regarding the pressure on parking in this street from residents and businesses. However, as the application site is in a sustainable location within 100-200m of bus stops on Wellingborough Road, and also within walking distance of local facilities on Wellingborough Road, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations. There are 3 bus routes that pass through the bus stops and have services every 10 minutes on Monday-Friday and 4 bus routes on Saturday providing service in every 5-15 minutes.
- 7.14 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the house and cycle storage is shown on the submitted Site Plan (013/09/2019B Sheet 2 of 14). The cycle storage would be accessible through a side passage in order that occupants can get bicycles in and out of the secure unit without bringing them through the house. The side passage would also provide access to the rear for all occupants of the proposed HIMO. Further details including dimensions of the secure cycle storage for at least 7 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.15 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 7 parking spaces, which is an increase of 4 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. In the absence of the parking, Principle 5 of the Northampton Parking Standards SPD 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 Standards SPD in respect of parking considerations.

Refuse storage

- 7.16 There is sufficient space to the rear of the property for bin storage and an indicative bin store is detailed on the submitted plan. This would allow for outdoor storage of waste prior to refuse collection days. The side access would ensure there was space to store refuse in the rear garden prior to refuse collection days and bins could be brought through the access to the front of the property for collection. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for litter or waste issues if there are inconsiderate tenants, however it is considered

that the bin storage to the rear of the property, with easy access to the front for collection day would ensure that there is suitable provision for future tenants.

Other matters

- 7.17 The proposed change of use is for 7 occupants and a condition is included to ensure a maximum of 7 occupants.

8 CONCLUSION

- 8.1 The use of the property as a 7-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and would not have an undue impact upon the amenity of adjoining occupiers.
- 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.

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 plans: Sheet 1 of 14 (received 28/02/2020), Sheet 2 of 14 (received 28/02/2020), Sheet 4 of 14 (received 28/02/2020), Sheet 9 of 14 (received 28/02/2020), Sheet 10 of 14 (received 28/02/2020), Sheet 12 of 14 (received 28/02/2020), Sheet 14 of 14 (received 28/02/2020), Sheet 7 of 14 (received 28/02/2020).

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 7 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 7 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.

10 BACKGROUND PAPERS

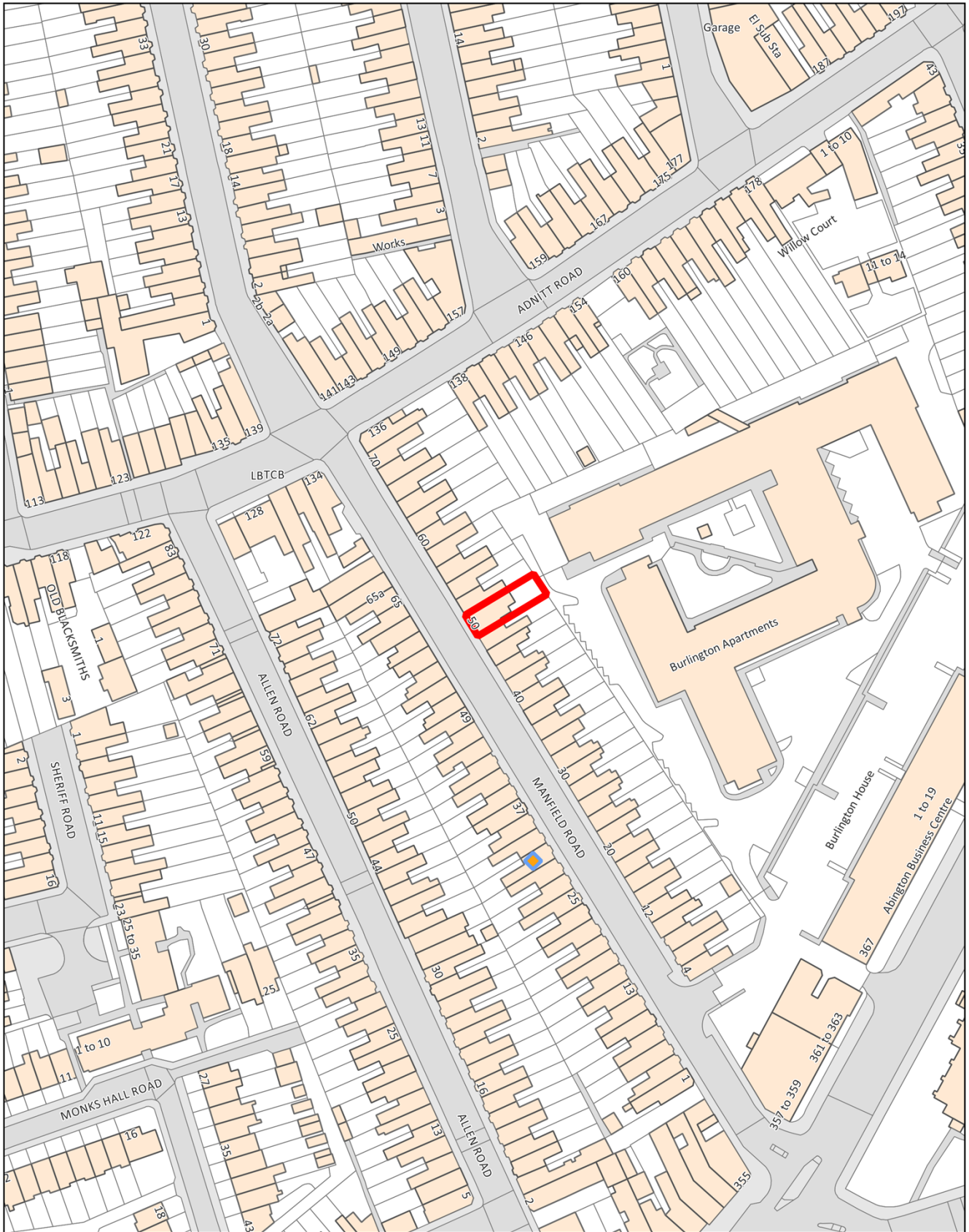
10.1 Application file N/2019/1604.

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: **50 Manfield Road, Northampton**

© Crown copyright and database rights 2016 Ordnance Survey licence no.

Date: 27-02-2020

Scale: 1:1,250

Drawn by: -----