
Appeal Decision

Site visit made on 20 September 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2016

Appeal Ref: APP/V2825/W/16/3151257
30 Whitworth Road, Northampton NN1 4HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Tsanka Sutreva against the decision of Northampton Borough Council.
 - The application Ref N/2015/1373, dated 10 November 2015, was refused by notice dated 18 March 2016.
 - The development is change of use from a dwelling (use class C3) to House of Multiple Occupation for up to six occupants.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use from a dwelling (use class C3) to House of Multiple Occupation for up to six occupants at 30 Whitworth Road, Northampton NN1 4HG in accordance with the terms of the application, N/2015/1373, dated 10 November 2015, subject to the following conditions:
 - 1) The development hereby permitted shall be occupied by a maximum of six residents at any one time.
 - 2) Notwithstanding the details submitted, full information of the refuse and cycle storage shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. The approved details shall be fully implemented within three months from the date of this permission and shall be retained thereafter.

Procedural Matter

2. I have used the Council's description of the development which is more precise than given on the original planning application form for the change of use of the property to a House of Multiple Occupation (HiMO) that has already commenced. The appeal form also makes reference to the updated description. I shall determine the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the additional car parking associated with the development on highway safety in the area.
-

Reasons

4. The appeal property consists of a traditional mid terrace house located in a predominantly residential area of high density Victorian terraced properties around 100 metres to the north of a busy local centre on Wellingborough Road with a range of local services and facilities.
5. Saved Policy H30 of the Northampton Local Plan 1997 (LP) seeks to support applications for a change of use to a HiMO where it does not result in an overconcentration of such uses leading to a detrimental change of an area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties. Policy H1 of the West Northamptonshire Joint Core Strategy 2014 (JCS) states that development should provide a range of housing types to cater for different needs and make the most efficient use of land having regards to amongst other things, accessibility to services and facilities and public transport. Policy S10 of the JCS requires development to satisfy a range of sustainable development principles, including being located where services and facilities can be easily accessed by public transport, walking and cycling. This approach is consistent with the National Planning Policy Framework (the Framework).
6. In line with the JCS and the Framework, the Council's House in Multiple Occupation Interim Planning Policy Statement 2014 (IPPS) promotes the use of sustainable transport and the need to secure the provision of adequate parking. Paragraph 4.2.28 of the IPPS outlines the need for a more flexible site specific approach when determining appropriate parking levels for HiMOs in accessible locations. Paragraph 4.2.29 and Principle 3 of the IPPS state applications for change of use to HiMO with limited or no additional car parking can be supported in principle if the property is located within easy walking distance to facilities and services including local centres or within 400m of a bus stop.
7. The Council contend the parking demand from the development and the current shortage of car parking in the area around the appeal site will lead to increased parking pressure on nearby streets to the detriment of highway safety, contrary to the Framework and the Council's IPPS.
8. A parking survey was carried out on the streets in the immediately vicinity of the site on behalf of the appellant in February 2016 in accordance with the Local Highway Authority (LHA) requirements. It is clear from the survey data provided by the appellant that the streets around the appeal site are heavily parked, particularly in the evenings. However, the LHA acknowledges there is a certain amount of spare capacity on the streets, particularly using the average parking length of 5.25m which shows some remaining capacity between the hours of 6pm and 9pm.
9. I acknowledge the properties in both Whitworth Road and the surrounding streets rely on on-street parking and there is likely to be competition for parking spaces at peak periods. However, there are no parking restrictions outside the appeal site and at the time of my site visit, there were parking spaces available along Whitworth Road and the nearby streets.
10. In any event, the appeal site is located in a sustainable location within easy walking distance of the local services and facilities and public transport services. With no off-site parking provision, I consider it is likely be more attractive for occupation by people who do not use cars than those who do.

Consequently, in view of the scale of development and the evidence before me, I consider that the extra demand for on-street parking generated by the development is relatively small in the context of the overall supply and availability of parking in the area. Therefore, I consider that the effect is likely to be only marginal and certainly not severe, the test set by the Framework¹ for preventing development on transport grounds.

11. I have noted the previous planning appeal² at 119 Whitworth Road drawn to my attention by the appellant. However, the main issue related to the effect on the character and appearance of the area and that planning appeal has different locational characteristics to the appeal scheme. It therefore is not directly comparable to the appeal scheme and as such I have accorded this limited weight as a precedent in this case.
12. Consequently, I conclude that the development would not conflict with Saved Policy H30 of the LP, Policies H1 and S10 of the JCS and would not have an adverse effect on highway safety in the area. In addition, the development complies with paragraphs 17, 32 and 35 of the Framework that seek to ensure that developments should be located and designed where practical to make the fullest possible use of public transport, walking and cycling and that safe and suitable access to the site can be achieved for all people. It would also accord with the Council's IPPS with regard to HiMO with limited or no additional car parking in accessible locations.

Conditions

13. I have had regard to the planning conditions that have been suggested by the Council. I agree that a condition relating to the maximum occupancy is necessary in the interests of amenity and highway safety in the area. A condition relating to refuse and cycle storage is appropriate in the interests of amenity and in order to encourage cycling as a sustainable form of transport.

Conclusion

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR

¹ Paragraphs 32 of the Framework

² APP/V2825/W/15/3139794