
Appeal Decision

Site visit made on 4 April 2017

by Mark Dakeyne BA (Hons) MRTPI

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

Decision date: 7th April 2017

Appeal Ref: APP/V2825/W/16/3165954

20 Shelley Street, Northampton NN2 7HY

- 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 Mr Geoff Porton against the decision of Northampton Borough Council.
 - The application Ref N/2016/0817, dated 11 June 2016, was refused by notice dated 2 September 2016.
 - The development proposed is change of use from single dwelling to house in multiple occupation for four people.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from single dwelling to house in multiple occupation for four people at 20 Shelley Street, Northampton NN2 7HY in accordance with the terms of the application, Ref N/2016/0817, dated 11 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Floor Plans Drawing No B01 dated March 2015 and Proposed Floor Plans Drawing No B01 dated March 2015.
 - 3) The development hereby permitted shall be occupied by a maximum of four residents at any one time.
 - 4) No development shall take place until full details of bicycle and refuse/recycling storage to serve the development have been submitted to and approved in writing by the local planning authority. The bicycle and refuse/recycling storage shall be fully implemented in accordance with the approved details prior to the commencement of the use hereby permitted and retained thereafter throughout the lifetime of the development.

Main Issue

2. The main issue is the effect of any on-street parking arising from the proposed use on highway safety.
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Reasons

3. The appeal property, a small two-storey mid-terraced house, lies within an area of high density terraced housing to the north-west of Kettering Road. Aside from a limited number of modern infill developments, very few of the dwellings in the area have off-street parking. As a result resident and visitor parking takes place along both sides of the one-way streets. There also appears to be some parking generated by those working and visiting the parade of shops and businesses on nearby Kettering Road, although a few of these premises have off-street parking and there are some spaces available on the main road.
4. The survey undertaken on behalf of the appellant as required by recently published parking standards¹ indicates that on-street parking in Shelley Street and parallel roads is close to capacity in the early evening periods and overnight. I visited the area mid-afternoon when there were some spaces available but, having regard to the characteristics of the area, it is apparent that few residual on-street parking spaces remain when most residents are at home.
5. Four unrelated students or working adults occupying the property would have the potential to own more cars than the family, couple or single person household that would tend to occupy this type of property. However, the house is towards the end of Shelley Street closest to the Kingsley Park Terrace Local Centre on Kettering Road with its good range of convenience stores, other shops and services and frequent buses to the town centre. Moreover, part of the University of Northampton Campus is about ½ mile to the west of the appeal site. The Park Campus is further away but within a 15 minute cycle ride. Although the Council refer to the University securing planning permission to move to a new campus close to the town centre, no timescales or details are before me.
6. Taking into account the above, the property is in a location where services and centres of education are close by and modes of travel, such as walking, cycling and buses, would be realistic alternatives to the private car. On this basis and having regard to the limited availability of parking close to the front door it is unlikely that all or the majority of the future occupants would own a private car. In this regard the on-street parking that would be generated by the small house in multiple occupation (HIMO) would be unlikely to be significantly greater than that resulting from use as a conventional single dwelling. This is supported by the appellant's experiences of other HIMOs in his control in that only about 5% of residents own or have access to cars and the Council's Interim Planning Policy Statement on HIMOs (2014) (IPPS) which states that those in rented accommodation have the lowest levels of car ownership.
7. Even if the use was to lead to a greater number of cars for occupants than the existing dwelling there are normally a few spaces available in the immediate area. I also note that there is greater spare capacity for on-street parking in the avenues of lower density housing to the south-east of Kettering Road. Although this area is across the main road from the appeal site, it is only a short walk and residents could rely on this area if, as is likely, they usually found space to park there.
8. The Council refers to implications arising for highway safety from additional on-street parking pressures. However, limited evidence about parking illegally or close to junctions, across dropped kerbs or double parking has been provided. At

¹ Northamptonshire Parking Standards (September 2016)

my site visit I noted a few commercial vehicles parked close to junctions on double yellow lines and across dropped kerbs and similar evidence was shown by the parking surveys but it is likely that this would be short-term. Residents would be unlikely to park in such ways.

9. In conclusion any on-street parking arising from the proposed use would be unlikely to be harmful to highway safety. There would be compliance with Policy S10 of the Core Strategy (CS)² as the use would be located where services and facilities can be easily accessed by walking, cycling and public transport. Policy H30 of the Local Plan (LP)³ refers to HIMO of more than 6 people. Nevertheless, considering criterion c), the proposal would not create a substantial demand for on-street parking. In arriving at my conclusions I have taken into account that the development would be supported by Principle 3 of the IPPS in that HIMO applications with no parking provision should be located within 400m of a bus stop or within walking distance of a local centre. The appeal property would satisfy both these criteria.
10. The evidence relating to accessibility, opportunities for public transport and car ownership levels as referred to in paragraph 39 of the National Planning Policy Framework suggest that the local parking standards should be applied flexibly in this case.
11. I have taken into account other recent appeal decisions for HIMO referred to by the parties. Whilst no two cases are directly comparable my conclusions on the main issue are consistent with the findings of other Inspectors.
12. It is unlikely that a small-scale HIMO would lead to unacceptable impacts on living conditions due to noise and disturbance. There does not appear to be many existing HIMO in the immediate area so the community of predominantly family housing would not be threatened by an over-concentration. The HIMO would be of sufficient size for the number of residents and would be managed to accord with licensing requirements such that there would be measures to reduce fire risk. The Council does not raise concerns about these other matters and there would be compliance with Policy H30 of the LP, Policy H5 of the CS and the IPPS in these respects.
13. In granting planning permission I have considered the conditions suggested by the Council. A condition is required specifying the approved plans for certainty. The number of residents should be controlled as the decision has been based on the impact of a specific number of occupants. Although the property is small and does not have access from the rear, there is likely to be scope for some cycle and refuse storage which are necessary to encourage sustainable travel modes and in the interests of the living conditions and appearance of the neighbourhood. The latter condition needs to be resolved pre-commencement as it is likely to affect the way the use is implemented.
14. For the reasons given above the appeal should be allowed subject to conditions.

Mark Dakeyne

INSPECTOR

² West Northamptonshire Joint Core Strategy Local Plan (Part 1) adopted December 2014

³ Northampton Local Plan 1993-2006 adopted June 1997