
Appeal Decision

Site visit made on 3 May 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 8 June 2017

Appeal Ref: APP/V2825/W/17/3169060

44 Bostock Avenue, Northampton NN1 4LW

- 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 & Mrs Pearce against the decision of Northampton Borough Council.
 - The application Ref N/2016/0783, dated 7 June 2016, was refused by notice dated 16 September 2016.
 - The development proposed is a change of use of property from dwellinghouse (C3 Use Class) to a house in multiple occupation (Sui Generis) for use by 10 persons, replacement of existing single storey lean to extension, installation of basement window.
-

Decision

1. The appeal is allowed and planning permission is granted for a change of use from dwellinghouse (C3 Use Class) to a house in multiple occupation (Sui Generis) for use by 10 persons, replacement of existing single storey lean-to extension and installation of basement window at 44 Bostock Avenue, Northampton NN1 4LW in accordance with the terms of the application, Ref N/2016/0783, dated 7 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: N285-PA-100 B, N285-PA-101 B and N285-PA-102.
 - 3) The development hereby permitted shall be occupied by a maximum of ten residents at any one time.
 - 4) The development shall not be occupied until full details of cycle and refuse storage to serve the development has been submitted to and approved in writing by the local planning authority and until such storage has been installed in accordance with the approved details. The storage shall be retained thereafter.
 - 5) The development shall not be occupied until three car parking spaces have been laid out within the site in accordance with drawing no N285-PA-102, and those spaces shall thereafter be kept available at all times for the parking of vehicles.
-

Preliminary matter

2. Drawing No N285-PA-102 was submitted with the appeal and had not been previously seen by the Council. It shows the removal of three existing garages and their replacement with three open parking spaces. I do not consider this drawing substantially alters the scheme and no parties would be prejudiced by my acceptance of it.

Main Issue

3. The main issue is the effect of the proposal on highway safety.

Reasons

4. The appeal site is located in a dense residential area characterised by long terraces of houses. The site is an end of terrace property and includes three single garages which are accessed from Billington Street. They are in poor condition and it has been suggested by the appellant that they are not used.
5. At the time of my mid-morning site visit there was extensive on street parking in the vicinity with few spaces available. Also photographic evidence by local residents and the surveys carried out by Northamptonshire Highways suggests that, at times when residents are likely to be at home, there no residual on-street parking capacity.
6. The Council's Interim Planning Policy Statement (IPPS) relating to HiMOs states that the conversion of family homes to HiMOs can increase the demand for parking. However it also recognises that HiMOs have the lowest level of car ownership and that additional parking may not be required in areas close to facilities or services including public transport. To that end it advises that an HiMO with limited or no parking provision can be supported in principle if it is within 400 metres of a bus stop or within walking distance to facilities and services. It is not disputed by the parties that the site meets both these criteria.
7. Furthermore, Policy H30 of the Northampton Local Plan (NLP) advises that HiMOs should not create a substantial demand for on street parking in areas judged to be experiencing local difficulties in this respect. Although this area is clearly experiencing such difficulties, in light of the three off-street parking spaces that would be available, the close proximity of public transport services, shops and facilities, and as HiMOs do tend to have lower levels of car ownership than family homes, I do not consider the extra demand for on-street parking, even from a 10 bedroom HiMO, would be substantial. I note the calculations provided by Northamptonshire Highways relating to anticipated vehicle ownership at HiMOs, but their report takes no account of the three off-street parking spaces that would be provided.
8. I have considered the other appeals and applications referred to by both parties. Most of these relate to smaller HiMOs, but there is nothing in the IPPS which suggests that larger HiMOs should be considered differently than any other HiMO. Furthermore, the availability of three off-street parking spaces is a benefit available to the future occupiers of the development that few of the other HiMOs referred to by the parties have.
9. As such, whilst I acknowledge the existing parking stresses locally, I do not consider any parking demand generated by the development would further

compromise highway safety. As such the proposal would accord with the IPPS as set out above, and Policies H30 of the NLP and H5 of the West Northamptonshire Joint Core Strategy which aim to ensure HiMOs do not adversely affect the amenity of the area. Furthermore, it would accord with the general aims of chapter 4 of the National Planning Policy Framework (the 'Framework') which promotes sustainable transport.

Other matters

10. The alterations to create a lightwell at the front of the property and the replacement of a rear lean-to are not objected to by the Council, and I have no reason to come to a different view.
11. I note the concerns regarding the impact on drainage, potential for noise and storage of waste. In response: drainage is a matter covered by other legislation; I have no substantive evidence to suggest the future occupiers would cause noise that would necessarily be disturbing to nearby occupiers; and the rear garden provides sufficient room to store refuse until collection days.
12. Also although a number of HiMOs nearby have recently been granted planning permission, I have no evidence before me to suggest the threshold identified in the IPPS, relating to the concentration of HiMOs, has been exceeded.

Conditions

13. I have considered those conditions suggested by the Council against the requirements of the Planning Practise Guidance (PPG) and the Framework. Where necessary, in the interests of clarity and precision, I have altered the conditions to better reflect this guidance.
14. In accordance with the advice in the PPG and the Framework I have imposed the standard condition relating to the commencement of development and a condition specifying the relevant plans in order to provide certainty. I have also attached conditions relating to cycle parking and car parking in the interests of highway safety, and refuse storage in the interests of preserving the character and appearance of the area. Some conditions require compliance prior to the commencement of development so that the effects of the proposal are properly mitigated in order to make it acceptable.

Conclusion

15. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR