



# Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held in The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 5 April 2022 at 5.00 pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	<b>Minutes</b> To confirm the Minutes of the Meeting of the Committee held on 7 <sup>th</sup> March 2022.
4.	<b>Chair's Announcements</b> To receive communications from the Chair.
5.	<b>Deputations/Public Addresses</b>
6.	<b>List of Current Appeals/Inquiries (Pages 5 - 6)</b>
<b>Applications for Determination</b>	
a)	<b>WNN/2021/1189 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants 92 Lower Thrift Street (Pages 7 - 18)</b>

b)	<b>WNN/2022/0053 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants</b> 70 Birchfield Road (Pages 19 - 28)
c)	<b>WNN 2022/0102 - Change of use from dwellinghouse to house in multiple occupation for 5 occupants</b> 104 Wycliffe Road (Pages 29 - 38)
8.	<b>Urgent Business</b> The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.
9.	<b>Exclusion of Press and Public</b> Should Members decide not to make a decision in public, they are recommended to resolve as follows:  “That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph(s) XXXXX would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Catherine Whitehead  
Proper Officer  
28 March 2022

**Northampton Local Area Planning Committee Members:**

Councillor Jamie Lane (Chair)	Councillor Anna King (Vice-Chair)
Councillor Muna Cali	Councillor Nazim Choudary
Councillor Imran Ahmed Chowdhury BEM	Councillor Paul Clark
Councillor Raymond Connolly	Councillor Paul Dyball
Councillor Dennis Meredith	Councillor Cathrine Russell
Councillor Zoe Smith	

## Information about this Agenda

### Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

### Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

### Evacuation Procedure

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

### Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

### Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

### Arrangements for Speaking

It is necessary to register with Democratic Services no later than midday on the last working day before the Committee. This applies to all speakers, including Ward Councillors. Speakers are required to indicate whether they will be speaking against or in support of an application.

Speakers may register by telephone, email or by writing, using the contact details below.

### Queries Regarding this Agenda

If you have any queries about this agenda please contact Ed Bostock, Democratic Services via the following:

Tel: 07775 036 776

Email: [publicspeaking@westnorthants.gov.uk](mailto:publicspeaking@westnorthants.gov.uk) | [ed.bostock@westnorthants.gov.uk](mailto:ed.bostock@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
The Guildhall  
St Giles Square  
Northampton  
NN1 1DE

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Planning Service – Northampton Area

Assistant Director Economic Growth & Regeneration: Jim Newton



**West  
Northamptonshire  
Council**

### List of Appeals and Determinations – 5<sup>th</sup> April 2022

#### Written Reps Procedure

Application No.	DEL/PC	Description	Decision
<b>N/2021/0348</b> APP/W2845/W/21/3288343	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for three occupants at 31 Connaught Street	<b>AWAITED</b>
<b>N/2021/0380</b> APP/V2825/W/21/3280603	DEL	Change of Use from Domestic Garage (Use Class C3) to Hairdressing and Nail Salon (Sui Generis) at 9 Whiteheart Close	<b>AWAITED</b>
<b>N/2021/0471</b> APP/W2845/H/21/3280283	DEL	Installation of 48 Sheet Digital Advertisement on North Elevation at Waterloo House, 21 Market Square	<b>AWAITED</b>
<b>WNN/2021/0043</b> APP/V2825/W/21/3286469	DEL	Alterations to shop front, new entrance doors and installation of ATM at 78 Earl Street	<b>AWAITED</b>
<b>WNN/2021/0185</b> APP/W2845/W/21/3283132	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 13no occupants, to include modifications to front lightwells at 3 Langham Place	<b>DISMISSED</b>
<b>WNN/2021/0426</b> APP/W2845/D/22/3294057	DEL	Removal of existing conservatory and construction of new two storey rear extension at 7 Glaisdale Close	<b>AWAITED</b>
<b>WNN/2021/0477</b> APP/W2845/D/21/3284998	DEL	Prior Notification of Larger Home Extension. Dimensions a) 5.20m b) 3.90m c) 2.99m at 138 Kingsley Road	<b>AWAITED</b>
<b>WNN/2021/0830</b> APP/W2845/Z/22/3291238	DEL	Installation of electric shutters and change of shop front glass (Retrospective) at 34 Abington Street	<b>AWAITED</b>

#### Public Inquiry

None

#### Hearings

None

#### Enforcement Appeals

None

#### Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Nicky Scaife, Development Manager (Interim)

Telephone 01604 837692

Planning Service

The Guildhall, St Giles Square,

Northampton, NN1 1DE

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# Planning Committee Report

**Committee Date:** 5<sup>th</sup> April 2022

**Application Number:** WNN/2021/1189

**Location:** 92 Lower Thrift Street, Northampton

**Development:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

**Applicant:** Mr Richard Nugent

**Agent:** Mr Richard Nugent

**Case Officer:** Adam Walker

**Ward:** Abington and Phippsville Unitary Ward

**Referred By:** Councillor Z Smith

**Reason for Referral:** Overconcentration of HMOs, impact on parking and amenity

## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

### **Proposal**

Permission is sought for a change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 4 occupants. No external alterations are proposed.

### **Consultations**

The following consultees have raised **objections or concerns** with the application:

- Local Highway Authority
- Northampton Town Council
- Cllr Zoe Smith

The following consultees have raised **no objections** to the application:

- Northamptonshire Police
- Private Sector Housing

Three letters of objection have been received.

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Amenity
- Highway Safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

- 1.1 The application property comprises a mid-terrace dwelling that is two storeys in height and also includes a basement and a bedroom in the attic. The property has been extended to the rear with the addition of a two storey extension that provides a kitchen and bathroom. There is garden area to the rear of the dwelling that backs onto a garage (the garage is not part of the application property).
- 1.2 The local area is predominantly residential and has terraced properties on either side of Lower Thrift Street.
- 1.3 The application site lies in Flood Zone 1, which means it is of very low risk of flooding.

### **2 CONSTRAINTS**

- 2.1 The application site is subject to an Article 4 Direction which removes permitted development rights in relation to a change of use to a House in Multiple Occupation (HIMOs).

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 Planning permission is sought for change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 4 occupants.
- 3.2 The proposal would provide a living room, kitchen and a bedroom on the ground floor, two bedrooms and a bathroom on the first floor and a bedroom in the existing attic. The basement is not proposed to be converted into habitable accommodation.



## 4 RELEVANT PLANNING HISTORY

- 4.1 There is no planning history that relates to the application site. The following applications relate to other applications for changes of use to HMOs within 50m of the application site:

Application Ref.	Proposal	Decision
N/2020/0036 104 Lower Thrift St	Change of Use of Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants	Refused
N/2020/0119 108 Lower Thrift St	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants	Approved
N/2020/0535 103 Lower Thrift St	Part Retrospective Application for Change the use of the property from 6 occupants HiMO (C4) to 8 occupants HiMO (Sui Generis) by converting the garage	Refused
N/2020/0738 79 Lower Thrift Street	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants	Approved

## 5 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.2 The relevant policies of the LPP1 are:

- H1 - Housing Density & Mix & Type of Dwellings
- H5 - Managing the Existing Housing Stock
- S10 - Sustainable Development Principles
- BN7 - Flood Risk

#### Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.3 The relevant policies of the NLP1 are:

- Policy E20 – Design for new development
- Policy H30 – Multi-occupation with a single dwelling

### Material Considerations

- 5.4 Below is a list of the relevant Material Planning Considerations

- **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 will be provided.
  - Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption in favour of sustainable development (Significant weight)
  - Policy 2 – Placemaking (Moderate weight)
  - Policy 4 – Amenity and layout (Moderate weight)
  - Policy 5 – Carbon reduction, sustainable design etc (Moderate weight)
  - Policy 6 – Health and wellbeing (Significant weight)
  - Policy 15 – Delivering houses in multiple occupation (Significant weight)
  - Policy 33 – Highway network and safety (Significant weight)
  - Policy 35 – Parking standards (Significant weight)
- **Residential Extensions and Alterations Design Guide 2011**
  - **Northamptonshire County Parking Standards (November 2016)**
  - **Northampton Parking Standards Supplementary Planning Document (November 2019)**
  - **Houses in Multiple Occupation Supplementary Planning Document (November 2019)**

The HMO SPD details that 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 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

<b>Consultee Name</b>	<b>Comment</b>
Local Highway Authority	<p>The local area is known to be heavily parked, with little to no residual parking capacity. The proposed development is likely to increase parking demand when compared to the existing use. This may be considered a minor increase, but the cumulative impact of multiple HiMO developments in a localised area can have a significant impact. This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices.</p> <p>The likely impact of an increase in parking demand from the proposed development cannot be determined without a parking beat survey. However, it is recognised that Principle 4 of the 'Houses in Multiple Occupation Supplementary Planning Document indicates that even if a parking beat survey showed parking to be insufficient, it is only possible to consider the sustainability of the site's location when assessing the highway impacts. Nevertheless, the LHA cannot make informed comments on this application due to a lack of information.</p>
Private Sector Housing	None of the bedrooms should be below 6.51sqm and the kitchen facilities and living room should comply with the HMO amenities guide. The proposed sanitary facilities are adequate.
Northampton Town Council	Object to the application on the grounds that a family house will be lost, the proposal represents overdevelopment in the area and the size of the rooms are too small to accommodate four occupants.
Northamptonshire Police	No objection but it is recommended that the bike storage area is upgraded to provide a secure covered storage solution.
Northamptonshire Fire & Rescue Service	With reference to the submitted Fire Evacuation Plan, the only comment to be made at this stage would be to emphasise that, once occupied, the premises will be subject to the provisions of the Fire Safety Order.
Cllr Zoe Smith	There are already a large number of HMOs in the area and a further HMO would be detrimental to the area and would reduce local amenity.

	<p>One bathroom is insufficient for a house with four unrelated occupants.</p> <p>An additional HMO would exacerbate existing parking and refuse problems in the area.</p> <p>If the application is recommended for approval, please ensure that a condition is imposed restricting the use of the basement as a bedroom or other living space.</p>
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## 7 RESPONSE TO PUBLICITY

7.1 Three representations have been received, all raising objections to the application. A summary of the comments is provided below.

- Too many HMOs in this area plus other properties that have been subdivided into flats and apartments. This creates a high concentration of people in a small area.
- Proposal would add to the over concentration of HMOs in this area.
- Presence of multiple HMOs on Lower Thrift Street results in an unbalanced mix of housing which is detrimental to the local area and community.
- Multiple HMOs erodes local character and distinctiveness and sense of community in areas such as Lower Thrift Street.
- Loss of family housing.
- The application building makes a positive contribution to the streetscene and Lower Thrift Street provides a contemporary context to the nearby Billing Road Conservation Area.
- It is recognised that the property is now being actively managed after a period of neglect and reassurances provided by the new owner regarding its future management as a HMO are welcomed, however, they do not overcome the longer-term harm that would result from the presence of an additional HMO on parking and maintaining a balanced population.
- There are already parking issues on Lower Thrift Street as a result of use by existing residents and hospital staff. Additional parking demand from the proposal would exacerbate existing problems.
- There are noise issues associated with existing properties on Lower Thrift Street, including HMOs.
- Increase in bedsits can have an impact on antisocial behaviour.
- No provision for collection or storage of waste. Excess waste may be stored outside which could lead to the introduction of rats and other vermin.
- Concerns that if permission is given it would be easier to increase the occupancy in the future.

## 8 APPRAISAL

### Principle of Development

8.1 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. In addition, Policy H5 of the Joint Core Strategy (JCS) allows for HMOs where the proposal would not adversely impact on the character of the area and the amenity of residential areas.

8.2 The principle of development is therefore considered to be acceptable, subject to assessment of the matters set out below.

### Area concentration

- 8.3 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMOs. Principle 1 of the SPD seeks to create, support and maintain a balanced, mixed and inclusive community and protect the neighbourhood and streetscene character. To help achieve this objective, it aims to avoid an over concentration of similar uses in one locality and sets a maximum threshold of 10% of HMOs within a 50m radius of any other HMO (regardless of whether licensed or not). The SPD is up to date, having been adopted in November 2019, and it can therefore be afforded substantial weight in decision making.
- 8.4 Policy 15 of the emerging Local Plan 2 relates to the delivery of HMOs and reflects the HMO SPD in terms of consideration of the concentration of HMOs in a locality. It states that all planning applications for change of use from dwellinghouses to HMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation. Emerging Policy 15 is considered to carry significant weight. It is to be noted that there have not been any proposed main modifications to this policy as part of the Local Plan 2 examination process.
- 8.5 Council records have been investigated and the evidence indicates that there are four existing licenced HMOs within a 50m radius of the application site. Based on the methodology for the calculation of concentration as set out on the HMO SPD, the proposed development would result in a HMO concentration of 9.6% within a 50m radius of the application site.
- 8.6 Given that the proposal is below the 10% threshold set out in the Council's adopted SPD in relation to the concentration of HMOs, it is considered that the mixture of property types in this locality would maintain an acceptable balance.
- 8.7 Based on the above, the application is considered to accord with the aims of the National Planning Policy Framework, Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan, the HMO SPD and Policy 15 of the emerging Local Plan Part 2.

#### Size of the property and facilities for future occupiers

- 8.8 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 HMOs to be of sufficient size to accommodate the proposed use. The HMO SPD seeks to ensure acceptable standards for a range of space and facilities and sets out minimum space standards for bedrooms, kitchens, living and dining space as well as a minimum number of bathroom facilities for the intended occupiers. Policy 15 of the emerging Local Plan 2 states that schemes should be compliant to the Council's existing space standards for houses in multiple occupation.
- 8.9 The property is considered to be of sufficient size to provide an acceptable standard of amenity for future occupiers. All the bedrooms comfortably exceed the minimum requirements for single occupancy, including the attic bedroom which has been proven to provide ample headroom. The kitchen exceeds the minimum size requirement by over 4 square metres. The living room falls very marginally below the minimum size requirement by approximately 0.2 square metres, although this room includes two areas of built-in storage which, when included within the overall floor space, would mean the size of the living room exceeds the minimum requirement. In any event, it is considered that the living room is of an acceptable size and the marginal shortfall in floor area is more than adequately compensated for by the larger

sized kitchen and bedrooms. A single bathroom would be provided, and Private Sector Housing have confirmed that the sanitary facilities are adequate.

- 8.10 All habitable rooms as well as the kitchen would be served by windows which would afford adequate natural light, ventilation and an acceptable outlook. This includes the attic bedroom, which has previously been used as a bedroom and has a large rooflight.
- 8.11 The property would require a mandatory HMO licence and a condition restricting the use of the property to a maximum of 4 people would be necessary in the event of any approval to ensure that the size and level of facilities remained appropriate for the number of occupiers.
- 8.12 The property has a basement, and it is not proposed to use this as habitable accommodation. It is however considered necessary to impose a condition preventing the use of the basement as a bedroom in the future.

#### Flood Risk

- 8.13 The site lies in Flood Zone 1 and is therefore classified as being at the lowest risk of flooding.

#### Highways/Parking

- 8.14 The property does not have any dedicated off-street parking space. The HMO SPD sets out a starting point of one on-plot car parking space per bedroom. This is consistent with the standard specified in the Northamptonshire Parking Standards (September 2016) and the Parking Standards Supplementary Planning Document (November 2019). The Houses in Multiple Occupation SPD sets out that where limited or no parking provision is proposed, the developer 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.
- 8.15 No parking beat survey has been submitted with the application although supporting information seeks to highlight the sustainable location of the site. This states that the site is close to the centre of Northampton, the General Hospital and the University of Northampton and there are bus stops within 100 metres of the site. Furthermore, the Wellingborough Road District Centre is also situated within 400 metres of the application site.
- 8.16 Officers concur that the site is in a sustainable location, with access to several bus stops that provide a regular service providing connections in different directions. The site is also within walking distance of a range of facilities and amenities on Wellingborough Road, including convenience stores. In addition, the site is within realistic walking distance of Northampton town centre, which includes a bus interchange and the town's train station.
- 8.17 The Local Highway Authority (LHA) has raised concerns with the application and have commented that the local area is known to be heavily parked, with limited residual parking capacity. The LHA considers that the proposed development is likely to increase parking demand and have highlighted that the cumulative

impact of multiple HMO developments in a localised area can have a significant impact, leading to increases in double parking, parking on double yellow lines and other unsafe parking practices.

- 8.18 Notwithstanding the comments from the LHA, the site is within a sustainable location and the concentration of HMOs in this locality is within acceptable limits. As such, the application is in accordance with the HMO SPD. Furthermore, previous planning applications for houses in multiple occupation within Northampton Borough have accepted that there is no evidence to support that all the residents would own cars. Under these previous applications, regard has been paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport and no or very limited parking is provided, considerable weight has been given to the sustainable location of the site. 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.
- 8.19 The HMO SPD recommends that storage space should be provided which is accessible to cycle users. The Northamptonshire Parking Standards document (2016) indicates that for houses in multiple occupation, one cycle space should be provided per bedroom. Cycle storage is indicated within the rear garden area, although this is not shown as being secure storage. A condition is recommended requiring details of arrangements for the secure storage of four bicycles. The provision of appropriate cycle storage would help to mitigate the potential impact on parking and would also address comments made by Northamptonshire Police.
- 8.20 Whilst it is likely that some future occupiers would own a car, the site's sustainable location and the on-site availability of secure cycle storage are factors that would be anticipated to appeal to persons dependent upon sustainable modes of transportation. When also factoring in that the property's use as a single dwellinghouse would generate its own parking demands, it is considered that the parking arrangements for the development are acceptable. The application therefore accords with Policy H5 of the JCS, saved Policy H30 of the Northampton Local Plan, the NPPF and the HMO SPD in so far as these policies and guidance indicate that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

#### Refuse

- 8.21 HMOs are required to provide suitable refuse storage. The submitted plan indicates an area to the rear of the dwelling that is to be used for bin storage and this is considered acceptable. Bins would need to be transferred through the building for collection in a very similar fashion to the established arrangement.

#### Amenity

- 8.22 The proposal is for a residential use of the property. There is no evidence to demonstrate that the proposal would generate any specific adverse amenity impacts, such as noise or anti-social behaviour, over and above those created by a conventional C3 dwellinghouse. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues, could be justified.

### Other matters

- 8.23 No external alterations are proposed as part of the application and in this regard the proposal would not have any material impact on the visual amenity or character of the streetscene, nor would it impact on the setting of the Billing Road Conservation Area which lies a short distance to the south.
- 8.24 The objections raised within the third party representations as well as the concerns of Northampton Town Council are acknowledged, however, for the reasons set out in this appraisal it is not considered that the issues raised could be substantiated as reasons for refusal.
- 8.25 Northamptonshire Fire & Rescue Service have not raised any issues with the planning application.

## **9 FINANCIAL CONSIDERATIONS**

- 9.1 The development is not CIL liable.

## **10 PLANNING BALANCE AND CONCLUSION**

- 10.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality and would not adversely affect the character of the local area and streetscene. Furthermore, the development would not have any significant adverse impact on highway safety or result in any undue detriment to the amenity of neighbouring property. The property is of sufficient size to accommodate the level of occupancy as proposed.
- 10.2 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, Policy 15 of the emerging Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

## **11 RECOMMENDATION / CONDITIONS AND REASONS**

### **Time Limit**

- 11.1 The proposed development is recommended for approval subject to the following 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.

### **Plans**

2. The development hereby permitted shall be carried out in accordance with the following approved plan: GA Plans Rev F04.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.



### **Occupancy**

3. The development hereby permitted shall be occupied by a maximum of four 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.

### **Refuse Storage**

4. The refuse storage shall be provided as shown on the approved plans prior to the first use of the property hereby permitted 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.

### **Cycle Storage**

5. Notwithstanding the submitted information, full details for the provision of secure cycle storage for a minimum of four bicycles shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The approved cycle storage facilities shall be provided before the development is occupied and thereafter retained as such.

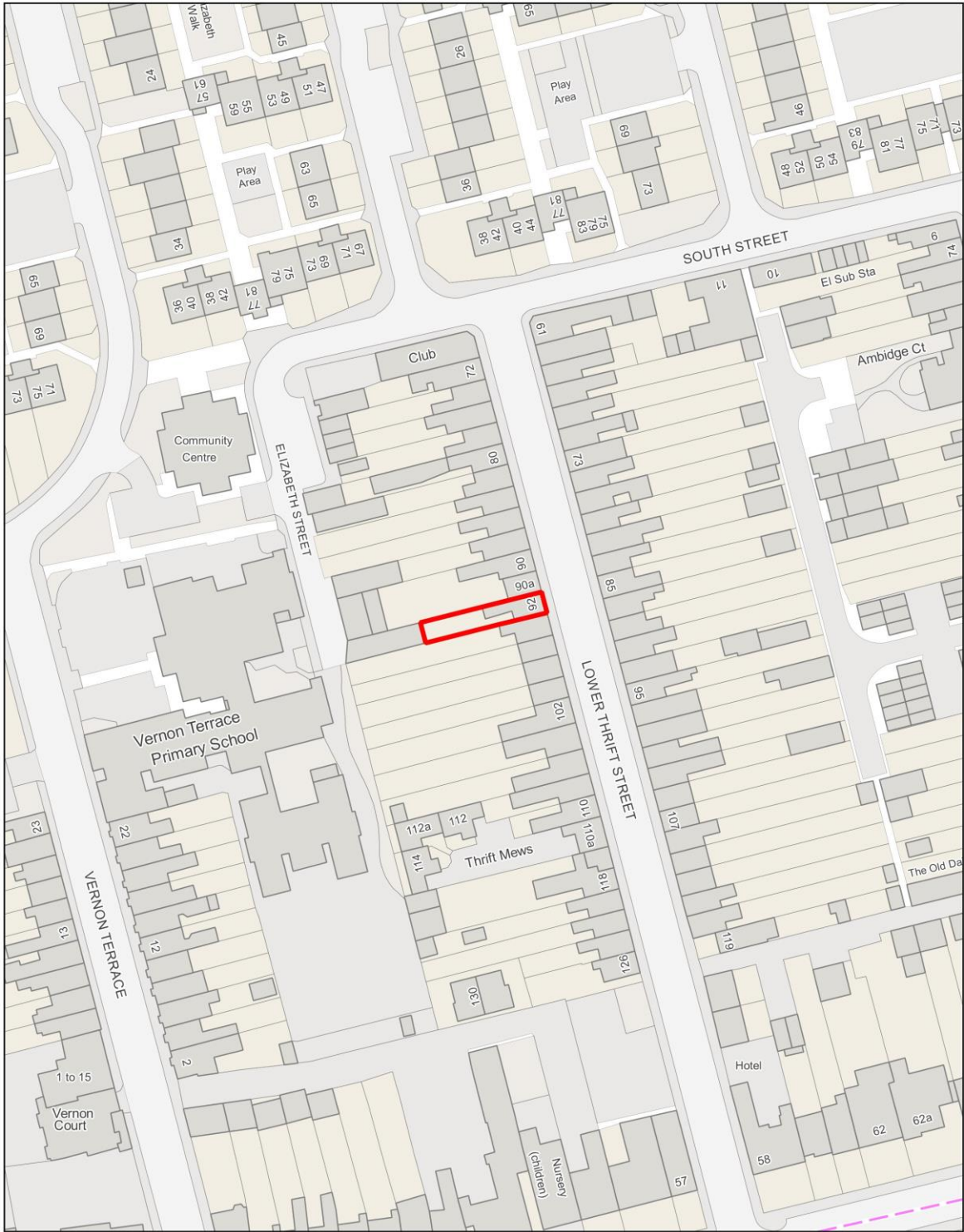
Reason: To promote sustainable modes of transport and in the interests of crime prevention and to accord with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

### **Use of Basement**

6. The basement within the dwellinghouse shall not be occupied as a bedroom at any 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.

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**West  
Northamptonshire  
Council**

Title: **92 Lower Thrift Street**

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Date: 23-03-2022

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Drawn: M Johnson



# Planning Committee Report

Committee Date: 5<sup>th</sup> April 2022

Application Number: WNN/2022/0053

Location: 70 Birchfield Road, Northampton

Development: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

Applicant: Mr Lee Adcock

Agent: Mr Lee Adcock

Case Officer: Dilly Brieton

Ward: Abington and Phippsville Unitary Ward

Referred By: Councillor Z Smith

Reason for Referral: Overdevelopment, impact on parking and amenity

## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS.**

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

### **Proposal**

Permission is sought for a change of use from a dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 5 occupants. Parking would be on-street.

### **Consultations**

The following consultees have raised **objections or concerns** with the application:

- Local Highway Authority
- Councillor Zoe Smith
- Northampton Town Council

The following consultees have raised **no objections** to the application:

- Private Sector Housing
- 23 objections have been received.

### **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Amenity
- Highways/ Parking

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

**MAIN REPORT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1 The application site comprises a two storey, mid-terraced, 3 bedroom, brick and render dwelling house. The property has a small courtyard style front garden enclosed by dwarf boundary wall. A gated service road leads to a detached double garage to the rear and enclosed rear garden.
- 1.2 The property is located in a residential area with predominantly terraced properties in the immediate area and is in close proximity to Kingsley Park Terrace, which has a parade of retail and commercial units and bus routes serving the wider area.
- 1.3 The application site is located within Flood Zone 1, which means very low risk of flooding.

**2. CONSTRAINTS**

- 2.1 Northampton North & Central Non Immediate Article 4 Direction

**3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. Permission is sought for a change of use from a dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 5 occupants

**4. RELEVANT PLANNING HISTORY**

- 4.1. The following planning history is considered relevant to the current proposal:

Ref	Proposal	Decision	Dec Date
N/1954/0127	THE ERECTION OF A GARAGE AT 70 BIRCHFIELD ROAD, NORTHAMPTON	(PA) APPROVED	09/04/1954
WNNPA/2021/0205	PROPOSED CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS	COMPLETED	24/12/2021

Permitted Development Rights remain intact

## **5. RELEVANT PLANNING POLICY AND GUIDANCE**

### **Statutory Duty**

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Development Plan**

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1) and adopted Neighbourhood Plans.
- 5.3. The relevant planning policies of the statutory Development Plan are set out below:

#### **West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)**

- 5.4. The relevant policies of the LPP1 are:

- H1 – Housing Density & Mix & type of Dwellings
- H5 – Managing the Existing Housing Stock
- S10 – Sustainable Development Principles
- BN7 – Flood Risk

#### **Northampton Local Plan 1997 (Saved Policies) (NLP1)**

- 5.5. The relevant policies of the NLP1 are:

- E20 – New development
- H30 – Multi occupation within a single dwelling

### **Material Considerations**

- 5.6 Below is a list of the relevant Material Planning Considerations

- **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 62 – size, type and tenure of housing need for different groups in the community should be assessed and reflected in planning policies.
  - Paragraph 130 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2

(2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption in favour of sustainable development (Significant weight)
  - Policy 2 – Placemaking (Moderate weight)
  - Policy 4 – Amenity and layout (Moderate weight)
  - Policy 5 – Carbon reduction, sustainable design etc (Moderate weight)
  - Policy 6 – Health and wellbeing (Significant weight)
  - Policy 15 – Delivering houses in multiple occupation (Significant weight)
  - Policy 33 – Highway network and safety (Significant weight)
  - Policy 35 – Parking standards (Significant weight)
- **Northamptonshire County Parking Standards (November 2016)**
  - **Northampton Parking Standards Supplementary Planning Document (November 2019)**
  - **Houses in Multiple Occupation Supplementary Planning Document (November 2019)**
    - The HMO SPD details that 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. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

<b>Consultee Name</b>	<b>Comment</b>
<b>Councillor Zoe Smith</b>	Calls the application to Committee raising objections in respect of overdevelopment of a family home, the negative impact on the residential amenity of the area, one bathroom being insufficient for five occupant and pressure on parking in the area.
<b>Private Sector Housing</b>	Advise that the applicant will require licensing under the mandatory licensing scheme. The plans show no provision for fire protection, detection and alarm systems which will be

	<p>required to meet the appropriate standards (see HMO amenities guide). The property is suitable for the 5 people in 5 households and the amenities and facilities are adequate.</p>
<p><b>Local Highway Authority</b></p>	<p>The local area is known to be heavily parked, with little to no residual parking capacity available on street. The proposed development is likely to increase the parking demand when compared to the existing use. Although this may be considered a minor increase, the cumulative impact of multiple HMO developments being approved in a localised area can have a significant impact on local residential amenity. This can lead to an increase in double parking, parking on double yellow lines and other unsafe parking practices.</p> <p>If the proposed development site falls within 400m of a local centre with general facilities, and or a bus stop with half hourly 7.00am to 9.00pm service then the site may be considered sustainable in terms of transport. However, whilst this may reduce the number of car trips, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area, along with the associated issues above.</p> <p>Parking for houses in multiple occupation should ideally be provided on site at a rate of 1 parking space per bedroom, however it is not possible to increase the parking provision in this instance. Given all of the above, the LHA have serious concerns that this development proposal can be considered acceptable, given the in practice, and resulting scenarios detailed above.</p> <p>Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process, however these surveys are not taken over a long enough time period, and so at best provide a snapshot of what is observed on a few given days.</p> <p>The LPA should consider all of the matters detailed above in respect of safety and safe practice along with the residential amenity of the local residents which will inevitably suffer if further vehicles are brought into the area.</p>

## 7. RESPONSE TO PUBLICITY

7.1. Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.2. 23 objections have been received and the comments are summarised as follows:

- Loss of family home.
- Overdevelopment
- Parking issues in the area including diminishing bus services and future electric charging points

- Over concentration of HMOs in the area and the backlog of properties reported as being used as HMO and not investigated/registered which should affect the concentration
- Noise
- Rubbish collection issues and fly tipping
- Infrastructure of the area cannot support the increased number of conversions and HMOs
- Anti-social behaviour
- Impact on the character and historic value of the street and of the area
- Devaluing of house prices in the area
- Lack of detail regarding refuse storage

## **8. APPRAISAL**

### Principle of the development

- 8.1 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. In addition, Policy H5 of the Joint Core Strategy (JCS) allows for HMOs where the proposal would not adversely impact on the character of the area and the amenity of residential areas.
- 8.2 The principle of development is therefore considered to be acceptable, subject to assessment of the matters set out below.

### Area concentration

- 8.3 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMOs. Principle 1 of the SPD seeks to create, support and maintain a balanced, mixed and inclusive community and protect the neighbourhood and streetscene character. To help achieve this objective, it aims to avoid an over concentration of similar uses in one locality and sets a maximum threshold of 10% of HMOs within a 50m radius of any other HMO (regardless of whether licensed or not). The SPD is up to date, having been adopted in November 2019, and it can therefore be afforded substantial weight in decision making.
- 8.4 Policy 15 of the emerging Local Plan 2 relates to the delivery of HMOs and reflects the HMO SPD in terms of consideration of the concentration of HMOs in a locality. It states that all planning applications for change of use from dwellinghouses to HMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation. Emerging Policy 15 is considered to carry significant weight. It is to be noted that there have not been any proposed main modifications to this policy as part of the Local Plan 2 examination process.
- 8.5 The number of HMOs 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 4 other HMOs (established or with planning approvals) situated on surrounding roads.
- 8.6 Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HMOs within a 50m radius of the application site. There are 53 properties within a 50m radius of the application site therefore, 10% would equal 5.3 properties. The inclusion of the proposed HMO would result in a 9.4%



concentration of HIMO properties within a 50m radius. The proposed concentration is therefore within the threshold of 10% as described in the adopted SPD.

#### Size of property and facilities for future occupiers

- 8.7 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 Supplementary Planning Document (SPD) and appropriate kitchen, 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. All bedrooms and habitable rooms would be served by adequate outlook and light. The application property has a basement and a condition has been recommended to ensure that it would not be used as a habitable room.

#### Flood Risk

- 8.8 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding.

#### Highways / Parking

- 8.9 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.
- 8.10 No parking beat survey was submitted with the application, however, the applicant did provide a Sustainability Statement. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 30 minutes. The site is also located within 300m of the nearest bus stops on Abington Grove and Abington Avenue with a regular service to the surrounding area. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019).
- 8.11 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Full details have been submitted for cycle storage located within the garage to the rear of the property, which would be secured by condition. The proposal is, therefore, in compliance with this principle of the SPD.
- 8.12 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMOs shall provide on plot parking at the ratio of 1 parking space per bedroom. The proposed development would produce a demand for 5 parking spaces which is an increase of 2 compared to the use as a 3-bed dwelling.
- 8.13 Whilst the proposal represents an increase in parking demand compared to the existing use, there is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions 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.

- 8.14 The site is located within 400m from local convenience stores on Abington Avenue and Kingsley Park Terrace is located approximately 5 minutes' walk from the site which offers a variety of shops and services as a local centre/neighbourhood parade.
- 8.15 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

- 8.16 Details have been submitted for refuse storage within the garage to the rear which is easily accessible to all residents and within close proximity to the road to enable curb side collection, removing the need to store unsightly bins to the front of the property which is deemed acceptable. A condition has been recommended to secure the arrangement and provision as proposed.

#### Amenity

- 8.17 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 in relation to amenity issues would be reasonable or sustainable at appeal.

### **9 FINANCIAL CONSIDERATIONS**

- 9.1. The development is not CIL liable.

### **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect 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.
- 10.2 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, Policy 15 of the emerging Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

### **11. RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1. The proposed development is recommended for approval subject to the conditions listed below (and any amendments to those conditions as deemed necessary):

**Time Limit**

- 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.

**Plans**

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed floorplan received 22/03/2022 and the Proposed Garage Plan

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

**Occupancy**

- 3) The maximum number of occupiers shall not exceed 5 at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

**Refuse Storage**

- 4) Facilities for the refuse and recycling storage as shown on the proposed garage plan shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan.

**Cycle Storage**

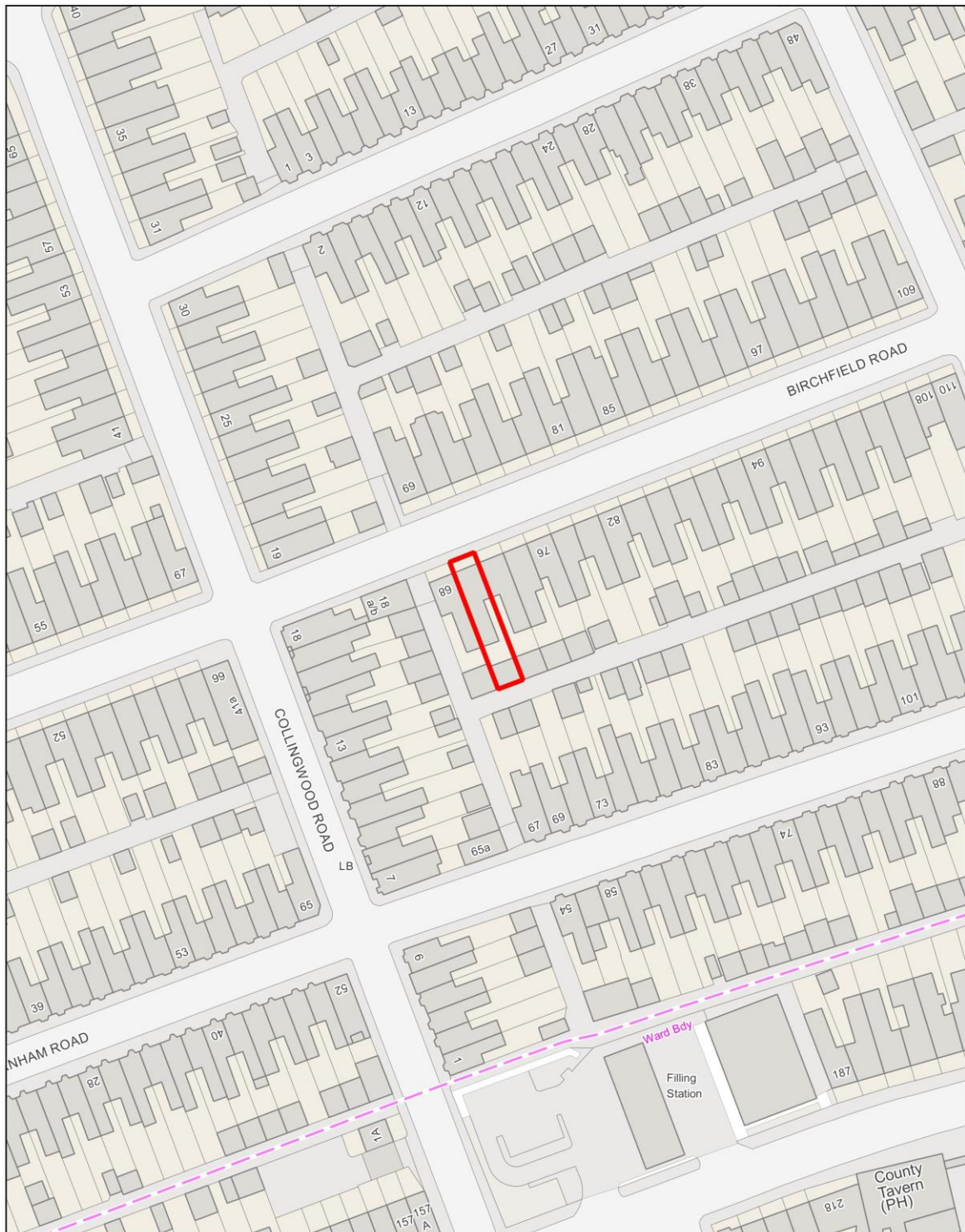
- 5) Facilities for the secure and storage of bicycles as shown on drawing the proposed garage plan shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan.

**Use of Basement**

- 6) The basement room shall be used as a 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: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy



**West Northamptonshire Council**

Title: **70 Birchfield Road**

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Date: 23-03-2022

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Drawn: M Johnson

# Planning Committee Report

**Committee Date:** 5<sup>th</sup> April 2022

**Application Number:** WNN/2022/0102

**Location:** 104 Wycliffe Road, Northampton

**Development:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

**Applicant:** Mr Lay

**Agent:** Archi-tec Architectural Design

**Case Officer:** Jonathan Moore

**Ward:** Abington and Phippsville Unitary Ward

**Referred By:** Councillor Z Smith

**Reason for Referral:** Overdevelopment, impact on parking and amenity

## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

### **RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS**

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

### **Proposal**

Permission is sought for the change of Use from an existing family dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. The proposal includes provision of bin and cycle storage to the rear of the property. There are no other external works proposed. The proposal includes three single bedrooms and one double occupancy bedroom as part of the layout over two floors.

### **Consultations**

The following consultees have raised **objections or concerns** to the application:

- Local Highway Authority
- Northampton Town Council
- Councillor Zoe Smith

Objections from 5 separate addresses have been received.

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Amenity
- Highway Safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

- 1.1 The application site is located in an established residential street to the south of and within walking distance of the Wellingborough Road Local Centre. The site is in a low risk flood zone.

### **2 CONSTRAINTS**

- 2.1 None

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The development is for conversion of an existing 3-bedroom dwelling to 5 person HIMO with no external changes proposed to the building, The proposed layout includes a bedroom, living area WC and kitchen/utility room at ground floor and 3 bedrooms (including one double) and a bathroom upstairs. The proposal includes bin and cycle storage to the rear immediately adjacent to the property.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 There is no planning history directly relevant to the proposal.

### **5 RELEVANT PLANNING POLICY AND GUIDANCE**

#### **Statutory Duty**

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

#### **Development Plan**

**West Northamptonshire Joint Core Strategy (Local Plan Part 1) (LLP1)**

5.2 The relevant policies of the LPP1 are:

- Policy H1 Housing Density and Mix
- Policy H5 Managing Housing Stock
- Policy S10 Sustainable Development Principles
- Policy BN7 Development and Flood Risk
- Policy BN9 Planning and Pollution Control

#### **Northampton Local Plan 1997 (Saved Policies) (NLP1)**

- 5.3
- Policy E20 Design of new development
  - Policy H30 Houses in Multiple Occupation

#### **Material Considerations**

5.4 Below is a list of the relevant Material Planning Considerations

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

#### **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 1 – Presumption in favour of sustainable development (Significant weight)
- 2 – Placemaking (Moderate weight)
- 3 – Design (Moderate weight)
- 4 – Amenity and layout (Moderate weight)
- 15 – Delivering houses in multiple occupation (Significant weight)
- 33 – Highway network and safety (Significant weight)
- 35 – Parking standards (Significant weight)

- **Northamptonshire County Parking Standards (November 2016)**

- **Northampton Parking Standards Supplementary Planning Document (November 2019)**
- **Houses in Multiple Occupation Supplementary Planning Document (November 2019)**

The HIMO SPD details that 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 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Comment
Northampton Town Council	Object on ground of parking and traffic, overdevelopment and already too many HIMOs in area
Local Highway Authority	<p>The local area is known to be heavily parked, with little to no residual parking capacity available on street. The proposed development is likely to increase the parking demand when compared to the existing use. Although this may be considered a minor increase, the cumulative impact of multiple HiMO developments being approve in a localised area can have a significant impact on local residential amenity. This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices.</p> <p>If the proposed development site falls within 400m of a local centre with general facilities, and or a bus stop with a half hourly 7:00am to 9:00pm service then the site may be considered sustainable in terms of transport.</p> <p>However, whilst this may reduce the number of car trip, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area, along with the associated issues outlined above.</p> <p>Parking for houses in multiple occupation should ideally be</p>



	<p>provided on site parking at the rate of 1 parking space per bedroom, however it is not possible to increase the parking provision in this instance.</p> <p>Given all of the above, the LHA have serious concerns that this development proposal can be considered acceptable, given the in practice, and resulting scenarios detailed above.</p> <p>Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process.</p> <p>The LPA should consider all of the above matters in respect of highway safety and safe practice along with the residential amenity of the local residents.</p>
Private Sector Housing	Comments awaited
Cllr Zoe Smith	Objects on over-development, parking and effect on residential amenity

## 7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 Five representations have been received, all raising objections to the application. A summary of the comments is provided below.

- Parking
- Traffic issues
- Living near HMO is nightmare
- Impact on residential amenity
- Noise
- Anti- social behaviour
- Refuse issues
- Impact on community

## 8 APPRAISAL

### Principal of Development

8.1 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. In addition, Policy H5 of the Joint Core Strategy (JCS) allows for HMOs where the proposal would not adversely impact on the character of the area and the amenity of residential areas.

8.2 The principle of development is therefore considered to be acceptable, subject to assessment of the matters set out below.

### Area Concentration

8.3 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMOs. Principle 1 of the SPD seeks to create, support and maintain a

balanced, mixed and inclusive community and protect the neighbourhood and streetscene character. To help achieve this objective, it aims to avoid an over concentration of similar uses in one locality and sets a maximum threshold of 10% of HMOs within a 50m radius of any other HMO (regardless of whether licensed or not). The SPD is up to date, having been adopted in November 2019, and it can therefore be afforded substantial weight in decision making.

- 8.4 Policy 15 of the emerging Local Plan 2 relates to the delivery of HMOs and reflects the HMO SPD in terms of consideration of the concentration of HMOs in a locality. It states that all planning applications for change of use from dwellinghouses to HMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation. Emerging Policy 15 is considered to carry significant weight. It is to be noted that there have not been any proposed main modifications to this policy as part of the Local Plan 2 examination process.
- 8.5 Council records evidence that there are 5 other HMOs within a 50m radius of the application site. The use of this property as a HMO would therefore equate to only 7.1 per cent concentration. It is considered therefore that there would still be a reasonable mixture of house types and uses within the area and a balance of community.
- 8.6 Based on the above, the application is considered to accord with the aims of the National Planning Policy Framework, Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan, the HMO SPD and Policy 15 of the emerging Local Plan Part 2.

#### Size of the property and facilities for future occupier

- 8.7 The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HMO 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. The proposal would meet the requirements for a 5 occupant HMO. All habitable rooms would be served by adequate outlook and light.

#### Development and Flood Risk

- 8.8 The site lies in Flood Zone 1 and is therefore classified as being at the lowest risk of flooding. There is also no basement to the property that could be impacted upon. The proposal would therefore comply with Policy BN7 of the JCS.

#### Highways/Parking

- 8.9 The property does not have any dedicated off-street parking space. The HMO SPD sets out a starting point of one on-plot car parking space per bedroom. This is consistent with the standard specified in the Northamptonshire Parking Standards (September 2016) and the Parking Standards Supplementary Planning Document (November 2019). The Houses in Multiple Occupation SPD sets out that where limited or no parking provision is proposed, the developer 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.

- 8.10 The Local Highway Authority note that the area has a lack of parking and a parking beat survey is recommended to be undertaken. No parking beat survey has been submitted with the application, however, it is considered that the application site is in a sustainable location within approximately 220 metres of the nearest bus stop on Wellingborough Road with a regular service and is within walking distance of the Local Centre. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Northampton Parking Standards SPD (2019).
- 8.11 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. No details other than the location of cycle storage have been submitted with the application but there is enough space in the rear garden to accommodate a cycle store. Therefore, a condition is recommended to provide further details.
- 8.12 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that an HIMO should provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for two additional parking spaces in comparison to the existing permitted use.
- 8.13 However, there is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions 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. Overall, 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, the existing authorised use 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

- 8.14 Provision for refuse storage is indicated in the rear garden and is deemed acceptable and would be secured by condition. This would accord with Policy H1 of the Joint Core Strategy in respect of appropriate amenity provision.

#### Amenity

- 8.15 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 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.

## **9 FINANCIAL CONSIDERATIONS**

9.1 The development is not CIL Liable.

## **10 PLANNING BALANCE AND CONCLUSION.**

10.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality and would not adversely affect the character of the local area and streetscene. Furthermore, the development would not have any significant adverse impact on highway safety or result in any undue detriment to the amenity of neighbouring property. The property is of sufficient size to accommodate the level of occupancy as proposed.

10.2 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, Policy 15 of the emerging Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

## **11 RECOMMENDATION / CONDITIONS AND REASONS**

11.1 The proposed development is recommended for approval subject to the following conditions.

### **Time Limit**

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.

### **Plans**

2 The development hereby permitted shall be carried out in accordance with the following approved plans: L47/1

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

### **Occupancy**

3. The development hereby permitted shall be occupied by a maximum of 5 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.

### **Refuse Storage**

4. The refuse storage shall be provided as shown on the approved plans prior to the first use of the property hereby permitted and retained thereafter.

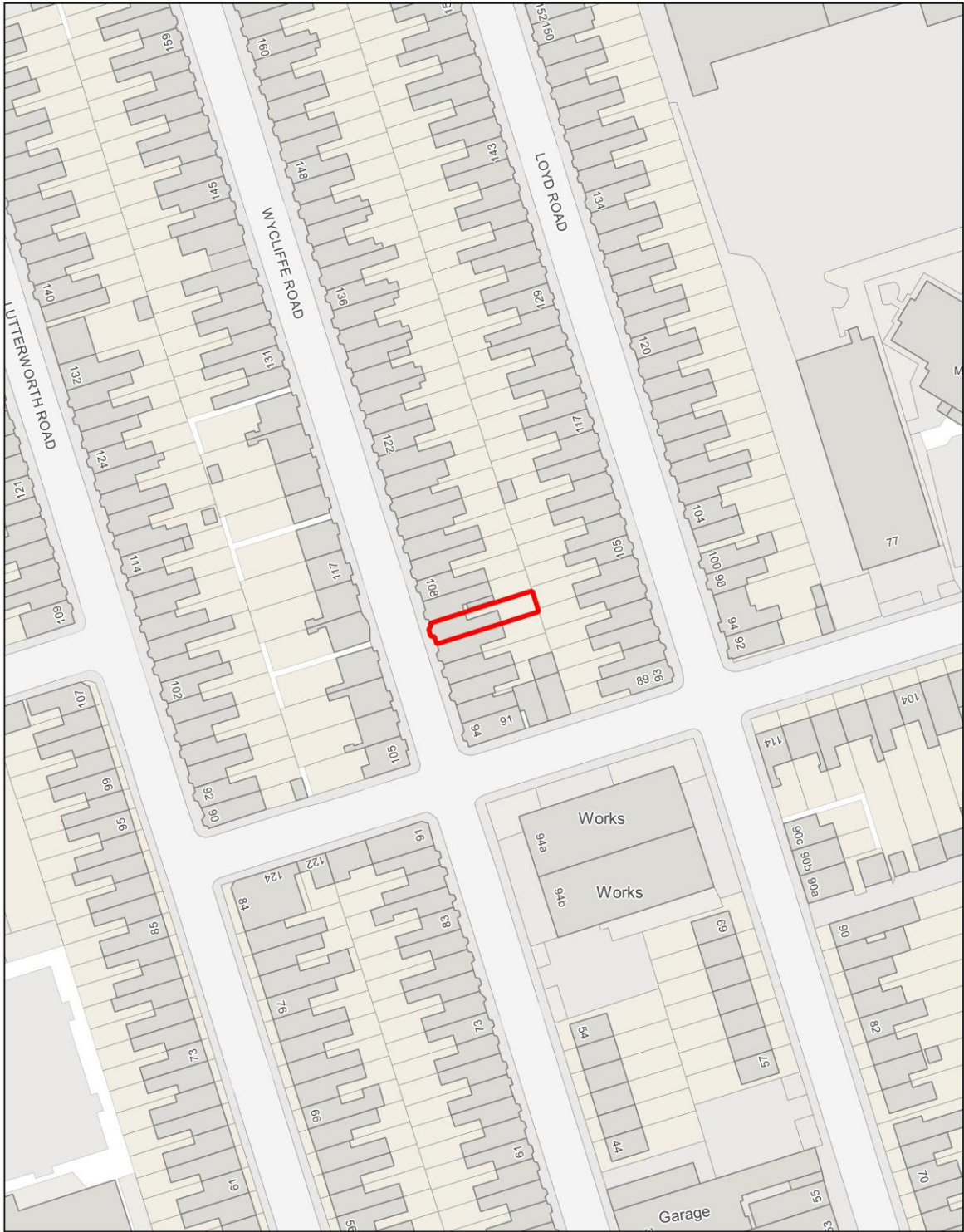
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **Cycle Storage**

5. Notwithstanding the submitted plans, full details for the provision of secure cycle storage shall be first submitted to and approved in writing by the Local Planning Authority, 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.

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**West  
Northamptonshire  
Council**

Title: **104 Wycliffe Road**

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Date: 23-03-2022

Scale: 1:1,000 @A4

Drawn: M Johnson