



# Planning Committee Report

**Application Number:** WNN/2023/0328

**Location:** 46 Brookland Road  
Northampton  
Northamptonshire  
NN1 4SL

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

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**Applicant:** Mr J Khan

**Agent:** Design Board Architectural Services

**Case Officer:** Sukhjeevan Bains

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**Ward:** Abington and Phippsville Unitary Ward

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**Reason for Referral:** Call in by Councillor Zoe Smith – Overdevelopment / Residential Amenity / Impact on Highway Parking and Refuse difficulties in the area.

**Committee Date:** 7<sup>th</sup> June 2023

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## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

**RECOMMENDATION:** GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### Proposal

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

### Consultations

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

- Highways, Northampton Town Council

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

- Private Sector Housing

The following consultees are **in support** of the application: None

12 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 4 of the report.

The key issues arising from the application details are:

- Principle of Development
- Concentration of HMOs within the area
- On-street parking provision
- Appropriate storage provision for bicycles and refuse

**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 a two-storey end-of-terrace dwellinghouse on the southern side of Brookland Road. The property has been extensively extended to the rear along the ground floor and also benefits from a detached garage to the rear of the garden.

1.2 It is not located within a conservation area nor is it a listed building.

### **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

2.1 The development is for the change of use of the dwellinghouse to a house in multiple occupation for a maximum of 5 occupants.

2.2 No external changes are proposed. Alterations to the internal layout would be made to form one bedroom with en-suite bathroom, communal living, dining and kitchen rooms and a sauna on the ground floor, as well as four bedrooms and a bathroom on the first floor.

2.3 The existing garage/outbuilding would be used for storage including space for bicycles. This can be accessed through the rear garden or from a side gate leading onto Brookland Crescent.

### **3 RELEVANT PLANNING HISTORY**

3.1 There is no planning history directly relevant.

### **4 RELEVANT PLANNING POLICY AND GUIDANCE**

#### **Statutory Duty**

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

## 4.2 Development Plan

- West Northamptonshire Joint Core Strategy Local Plan (Part 1)

Policy H1 – Housing Density & Mix & Type of Dwellings

Policy H5 – Managing Existing Housing Stock

Policy S10 – Sustainable Development Principles

Policy BN7 – Flood Risk

- Northampton Local Plan Part 2 (2023)

Policy Q1 – Presumption in favour of sustainable development

Policy Q2 – Amenity and Layout

Policy Q3 - Carbon reduction, sustainable design etc

Policy Q4 – Health and Wellbeing

Policy HO3 – Delivering houses in multiple occupation

Policy MO2 – Highway Network and Safety

Policy MO4 – Parking Standards

## 4.2 Material Considerations

- National Planning Policy Framework (NPPF)
- 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.

## 5 RESPONSE TO CONSULTATION

- 5.1 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	Position	Comment
Cllr Smith		<p>Thank you for your email. Please could I call this application into the Planning Committee on the grounds that it represents overdevelopment of a property, would reduce the residential amenity of the area and exacerbate the existing parking and refuse difficulties in the area?</p> <p>One bathroom for four residents is also unreasonable and bedrooms 3 and 5 appear to be box rooms and not of an appropriate residential standard. Can you let me know whether they meet the national designated space standards? If the planning officers were minded to refuse the application, then I would be happy for this to be decided under delegated powers. If this is the case, please could you email me and inform of this?</p>
Northampton Town Council	Town Clerk	<p>I write on behalf of the Planning Committee of Northampton Town Council to object to this application.</p> <p>Brookland Road has two registered HMOs at 36 and 40, adding another will lead to saturation which will have a long lasting detrimental effect on the neighbourhood. There will be a detrimental impact on parking for existing residents as people move into this HMO.</p> <p>The Town Council has a policy of asking that HMOs provide en-suite facilities, this does not. The proposed bathroom arrangements are unsatisfactory, with one bathroom on the 1<sup>st</sup> floor for 4 bedrooms (potentially 8 people) which is too crowded. The bathroom on the ground floor is accessed via a kitchen which has hygiene implications.</p> <p>The committee consider this proposal to be of poor quality that is overdevelopment. It will also lead to the loss of a family home.</p> <p>For these reasons NTC would recommend that this application be refused.</p>
Highways	DM Engineer	<p>The area local area is known to be heavily parked, with little to no residual parking capacity available on street.</p> <p>The proposed development is likely to increase the parking demand when compared to the existing use in the</p>

		<p>evening, when parking demand is at its highest. This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices.</p> <p>The LPA should consider the 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>
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## 6 RESPONSE TO PUBLICITY

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

6.1 There have been 12 objections raising the following concerns:

- Over concentration of HMOs in the area.
- Proximity of proposed HMO to existing HMO on the road.
- Increased parking pressure
- Loss of family home
- Impact on character of the area
- Refuse and litter issues
- Anti-social behaviour

## 7 APPRAISAL

### Principle of Development

7.1 The conversion of the existing dwelling to an 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 the character of the area and the amenity of residential areas.

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

### Concentration of HMOs in the local area

7.3 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HMO's. 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.

7.4 Policy HO3 of the Local Plan 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.

- 7.5 Council records have been investigated and the evidence indicates that there are two 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 an HMO concentration of 8.57% within a 50m radius of the application site.
- 7.6 During the public consultation, concern has been raised about the proximity of the existing HMOs to the proposed one. The existing are at No.36 and 40 Brookland Road. However, the methodology of the concentration test as set out in the SPD does not make allowance for the proximity of HMOs to each other, it is solely a test for concentration within a 50m radius of the application site. Therefore, it would not be appropriate to treat this proposal differently.
- 7.7 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.
- 7.8 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 HO3 of the Local Plan and the HMO SPD.

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

- 7.9 Policy HO3 of the Local Plan, 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.
- 7.10 The proposal is considered to be in accordance with the space standards stated in the HMO SPD. Each bedroom exceeds the 6.51sqm minimum, with the proposed bedrooms ranging from 7.7sqm to 18.5qm. The ground floor would comprise two bedrooms, a lounge, a kitchen and a WC. There is also direct access to the rear garden. The first floor would comprise of three bedrooms, a bathroom and a storage room.
- 7.11 The HMO SPD states the size of an HMO living space for 5 people has to be a minimum of 11sqm. The proposal includes a 38.0sqm of living and dining space. In addition to this, the HMO SPD states that for 5 people the kitchen provided in the HMO has to be at least 7sqm, the proposal is in accordance as it provides kitchen areas totalling 25.1sqm.
- 7.12 All habitable rooms would be served by sufficiently sized windows which offer adequate natural light, ventilation, and outlook.
- 7.13 The property will require a mandatory HMO licence and a condition will be placed on the property restricting the number of occupants to 5 to ensure sufficient space is provided for future occupants.

### Amenity

- 7.14 The proposal is for a residential use of the property. The existing three-bedroom dwelling house could be occupied by up to 5 residents which is the maximum that would be permitted within the proposed HMO. While it is accepted that the use may differ given the number of different households within the property, based on the reasonable use of the property, it is not considered that the proposed use would result in any specific adverse amenity impacts, such as noise or anti-social behaviour, over and above those created by a conventional C3 dwellinghouse.
- 7.15 Comments received during the public consultation point toward issues at existing HMOs on Brookland Road. While this may be the case, there is no evidence to demonstrate that this proposal would result in similar impacts. Consequently, no weight can be afforded to the proposal having an adverse impact on neighbouring amenity.

### Flood risk

- 7.16 The site is located within Flood Zone 1 and therefore the property is at the lowest risk of flooding.

### Highways/ Parking

- 7.17 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.
- 7.18 As no parking beat survey has been submitted despite policy stating one “must” be submitted alongside an HMO application, it is reasonable to infer that parking within the area is either insufficient or at best minimal. Consequently, the only way for the property to be deemed acceptable is if the property is sustainably located.
- 7.19 The applicant has submitted a summary of the local facilities and bus routes within the local area. Officers have also undertaken an assessment of the local area in order to ascertain the suitability of the site.
- 7.20 The property is located within 300m of bus stops on Kettering Road served by 7 bus routes which run up to every 15 minutes.
- 7.21 The second part of principle 4 of the HMO SPD states the proposal site needs to be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade.
- 7.22 The site is deemed to be within 400m of St Matthews Parade on Kettering Road which has a variety of shops, eateries and other services.

- 7.23 It is acknowledged that the area is heavily parked and residual parking capacity is likely to be very limited, especially in the evenings. It is also recognised that the proposal has the potential to increase parking demand over and above that generated by the existing four-bedroom dwellinghouse and that the cumulative impact of other HMO development and existing dwellings and flats can have a significant impact on a local area.
- 7.24 Notwithstanding the above, 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.
- 7.25 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. Storage for 5 bicycles is indicated within the ground floor garage. A condition securing details of the cycle stand proposed providing secure storage within the garage is required and recommended.
- 7.26 In summary, 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 WNJCS, Policy HO3 of the Local Plan Part 2, 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

- 7.27 HMOs are required to provide suitable refuse storage. The submitted plans show that there is space within the front garden to provide a refuse store which is considered to be a convenient and accessible location. Details of the store have been submitted and are considered acceptable.

#### Other considerations and response to consultation comments

##### *Loss of family home & impact on character of the area*

- 7.28 The Local Plan does not set out any specific policy to restrict the loss of family sized housing. It is accepted that HMOs will play an important role in providing a suitable mix of housing types within the borough. Further, due to the nature and scale of the works, it would not require much work to revert the property back to a single dwelling in the future should ownership change.



- 7.29 There are no external changes proposed and the property would still be in residential use with a similar number of occupants as the existing dwelling could accommodate. Based on the reasonable use of the property, it is not envisaged to have an adverse impact on the character of the area.

## **8 FINANCIAL CONSIDERATIONS**

- 8.1 The development does not result in the creation of new residential floorspace, as the works are contained within the existing footprint. As such, the development would not be CIL liable.

## **9 PLANNING BALANCE AND CONCLUSION**

- 9.1 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 and demonstrable 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.
- 9.2 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, Policy HO3 of the emerging Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

## **10 RECOMMENDATION / CONDITIONS AND REASONS**

- 10.1 It is recommended that planning permission is granted subject to conditions as set out below.

## **11 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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

*A23-20-02 [received 13/05/2023]*  
*A23-20-01b [received 23/05/2023]*

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

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

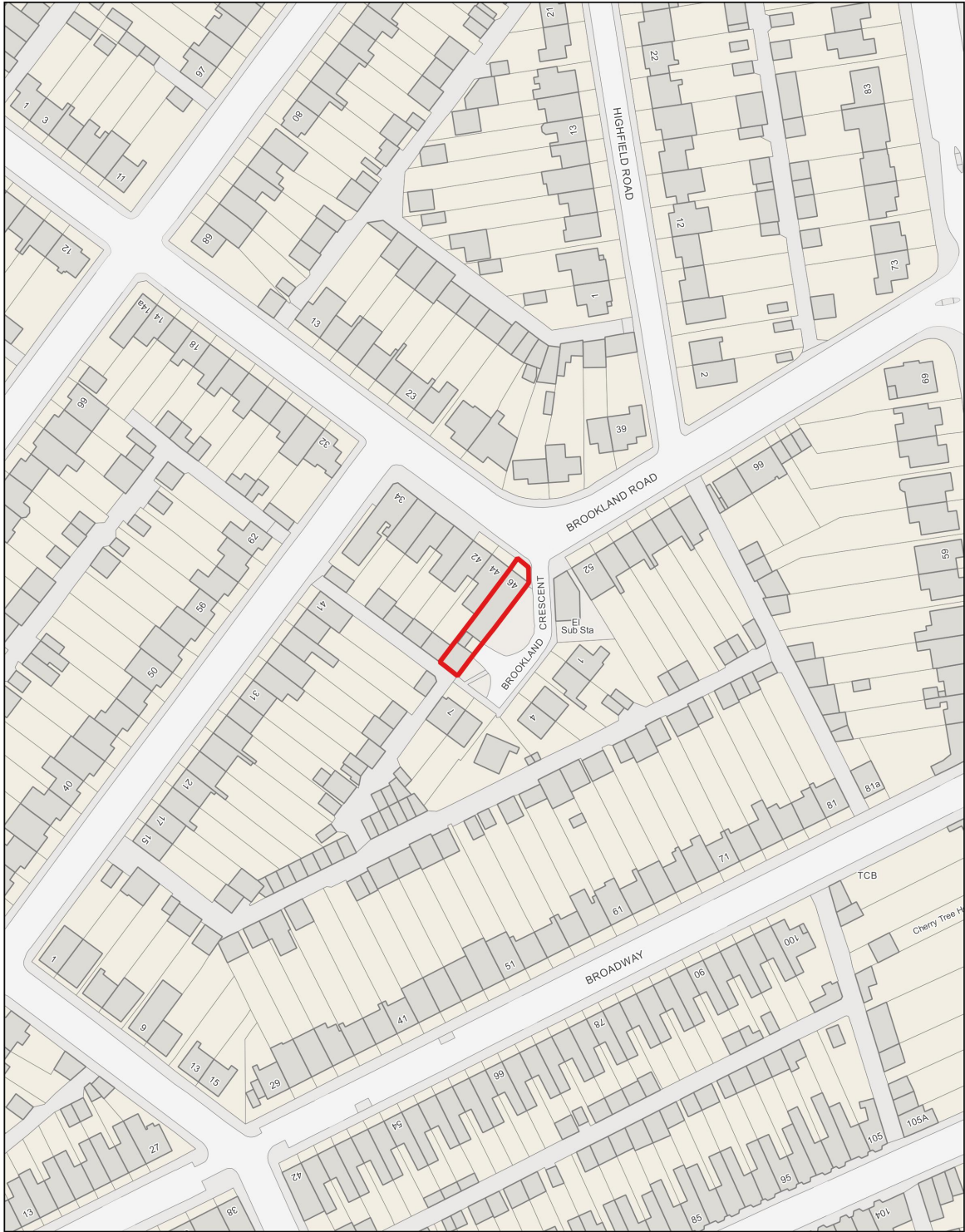
4. Prior to the first occupation or bringing into use of the building hereby permitted, the refuse store shall be installed as indicated on the approved drawing no. *A23-20-01a*,

and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy Q2 of the Local Plan Part 2.

5. The existing outbuilding shall be retained for the purpose of storage, as indicated on approved drawing no. A23-20-02. It shall at no time be used as habitable accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate facilities in accordance with Policy Q2 of the Local Plan Part 2.



**West  
Northamptonshire  
Council**

Title: **46 Brookland Road, Northampton**

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Date: 25-05-2023

Scale: 1:1,250 @A4

Drawn: M Johnson