



Planning Committee Report

Application Number: WNN/2023/0415

Location: 42 Poole Street, Northampton, NN1 3EX

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

Applicant: Mr Khan

Agent: Mr Patrick Dooley

Case Officer: Andrew White

Ward: Castle Unitary Ward

Reason for Referral: Call in by Councillor Danielle Stone called the application to Committee as the application is an area of high transience. We need to be supporting long term residents to build community and community resilience. Another HMO will negatively impact local amenity

Committee Date: 8th June 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

The application seeks planning permission for the change of use of the existing 3 bedroom dwellinghouse to a 4 occupant house in multiple occupation (HMO).

Consultations

The following consultees have made observations or have no comments to make on the application:

WNC Local Highways Authority – No response at time of writing report
WNC Private Sector Housing – Commented that facilities are of appropriate size and fire protection measures are of appropriate standards.
WNC Conservation Team – No objection.
Town Centre Conservation Advisory Committee – No response at time of writing report
Cllr Stone – raised objections to the application and called to Committee

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
- Area Concentration
- Size of Property and Facilities for Future Occupants
- Highways and Parking
- Refuse
- Amenity
- Design
- Flood Risk
- Impact on conservation Area

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 residential dwelling in an established residential Street which comprises terraced housing with no front garden areas. On street parking is available within permit scheme in operation. The street is within the Boot and Shoe Quarter Conservation Area.

2 CONSTRAINTS

- 2.1 Article 4 Direction is in place restricting the change of use of C4 Houses in Multiple Occupation (HiMO).

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application seeks planning permission for the change of use from a dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) with 4 occupiers. There are no external works proposed.

4 RELEVANT PLANNING HISTORY

- 4.1 The property has no planning history relevant to the current 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.
- 5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

National Policies

- 5.3 The 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.

- 5.4 Development Plan

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan Part 2 and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

H1 – Housing Density & Mix & Type of Dwellings

H5 – Managing the Existing Housing Stock

S10 – Sustainable Development Principles

BN7 – Flood Risk

- Northampton Local Plan Part 2 (Adopted 2023)

Policy SD1: Presumption in favour of sustainable development

Policy Q1: Placemaking and Design

Policy Q2: Amenity and layout

Policy Q5: Flood risk and water management

Policy HO3: Delivering houses in multiple occupation

Policy ENV6: Protection and enhancements of designated and non – designated heritage assets

Policy MO2: Highway network and safety

Policy MO4: Parking standards

5.5 Material Considerations

- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Houses in Multiple Occupation Supplementary Planning Document (November 2019)

The aim of the SPD is to manage the future development of HMOs to ensure such developments will not lead to, or increase, existing over-concentrations of HMOs which are considered to be harmful to the amenity of local communities. The consideration of such proposals should consider the importance of meeting housing needs whilst ensuring mixed and balanced communities. When considering proposals for HMOs this will involve securing the provision of adequate facilities and amenities; providing adequate waste and recycling storage; minimising flood risk; securing provision of adequate parking/cycle storage in accordance with adopted parking standards relevant to the sustainability of the location.

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
WNC Private Sector Housing	<p>Rooms Sizes The property is suitable for 4 people in 4 households,</p> <p>Kitchen Facilities Subject to adequate provision of kitchen facilities (see HMO amenities guide), the kitchen is of adequate size.</p> <p>Sanitary Facilities The sanitary facilities as shown on the proposed plan would be adequate.</p> <p>Fire Safety Measures The provisions for fire protection, detection and alarm systems shown on the proposed plans would meet the appropriate standards.</p>
Cllr Danielle Stone	This is an area of high transience. We need to be supporting long term residents to build community and community resilience. Another HMO will negatively impact local amenity.
WNC Conservation Team	42 Poole Street is within the Northampton Boot and Shoe Conservation Area. The proposal is for a change of use from a dwelling house to HMO, for 4 occupants. No changes are proposed for the exterior of the building. There are no heritage objections to the proposals, as they will not impact the Conservation Area or

	any nearby heritage assets.
WNC Local Highways Authority	No response at time of writing report
Town Centre Conservation Advisory Committee	No response at time of writing report

7 RESPONSE TO PUBLICITY

No objections were received from neighbours and residents at time of writing report.

8 APPRAISAL

Principle of Development

- 8.1 The conversion of the existing dwelling to an HiMO is considered to accord with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities.
- 8.2 Policy H5 of the West Northamptonshire Joint Core Strategy (WNJCS) allows for HiMOs where the proposal would not adversely impact on the character of the area and the amenity of residential areas. Policy HO3 of the NLPP 2 allows for new HiMOs where the proposal would not result in an over-concentration of this type of housing; adequate space is provided for the occupiers; appropriate provision is made for refuse, cycle storage and parking; and ground floor bedrooms are protected from flood risk. The Council's Houses in Multiple Occupation Supplementary Planning Document also sets out a series of principles for determining planning applications for HiMOs.
- 8.3 The principle of development is therefore considered to be acceptable, subject to assessment of the application against the aforementioned policies and guidance as set out below.

Area concentration

- 8.4 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HiMOs. 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 HiMOs within a 50m radius of any other HiMO (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.
- 8.5 Policy HO3 of the NLPP2 relates to the delivery of HiMOs and reflects Principle 1 of the HiMO SPD in the consideration of the concentration of HiMOs in a defined area. It states that all planning applications for change of use from dwellinghouses to HiMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation.
- 8.6 Council records indicate that there are 6 licenced HiMOs within a 50m radius of the application site.

- 8.7 Based on the methodology for the calculation of concentration as set out on the HiMO SPD, the proposed development would result in a HiMO concentration of 7.6% within a 50m radius of the application site. (7/92 dwelling units)
- 8.8 Given that the proposal is below the 10% threshold referred to above, it is considered that the mixture of property types in this locality would maintain an acceptable balance of dwellings. As such having regard to the comment regarding community cohesion the proposed area concentration falls within the limits of the balance of dwelling types that the SPD identifies as being appropriate. The 10% limit was also adopted to produce a concentration level that is not considered to lead to other anti-social behaviour or activity. The application is therefore considered to accord with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy HO3 of the NLPP2, Principle 1 of the HiMO SPD and the aims of the National Planning Policy Framework.

Size of the property and facilities for future occupiers

- 8.9 Policies Q2 and HO3 of the NLPP2 and the aims of NPPF seek to ensure the provision of adequate amenity for proposed occupiers and requires HiMOs to be of sufficient size to accommodate the proposed use. Principle 2 of the HiMO 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 HO3 of the NLPP2 states that schemes should be compliant with the Council's existing space standards for HiMOs.
- 8.10 The property is considered to be of sufficient size to provide an acceptable standard of amenity for future occupiers having regard to the standards set out in the HiMO SPD.
- 8.11 All 4 bedrooms exceed the minimum requirements for single occupancy. The bathroom facilities also meet the required standards.
- 8.12 The communal kitchen/living area of 21 sq.,m exceeds the minimum level identified in the HMO SPD of 18 sq.m. The kitchen and lounge would be served by windows which would afford adequate natural light, ventilation and an acceptable outlook.
- 8.13 The property would require an 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 remains appropriate for the number of occupiers.
- 8.14 The site is also well related to the Racecourse which offers amenity space for residents.

Highways/Parking

- 8.15 The property has no off-street parking and on-street parking is subject to a parking permit scheme within designated parking bays. Principle 4 of the HiMO SPD sets out a starting point of one on-plot car parking space per bedroom in accordance with the Northamptonshire Parking Standards (September 2016) and the Parking Standards Supplementary Planning Document (November 2019).
- 8.16 The HiMO SPD clarifies that where limited or no parking provision is proposed, the developer should provide a parking beat survey. The application did not provide a

parking beat survey but instead provided information about the sustainable credentials of the location. Where there is insufficient 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 Saturdays) 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. The applicant provided a sustainability statement identifying the accessibility to shops, buses and other facilities

- 8.17 No.42 Poole Street is within 150m of local shops and a supermarket (Aldi) it is within 400 metres walking distance of the northern part of the town centre. There is one bus stop within 400 metres and other bus stops on Barrack Road that provide a 30-minute bus service from Mondays to Saturdays on a 30-minute basis that are just beyond the 400 metre limit.
- 8.18 Principle 4 of the HiMO SPD recommends that secure cycle storage space should be provided. The Northamptonshire Parking Standards document (2016) indicates that for houses in multiple occupation, one cycle space should be provided per bedroom. Storage for bicycles is indicated within the rear amenity space, although not in detail. A condition requiring full details of the proposed cycle storage would be necessary to ensure that appropriate provision is made for the secure storage of bicycles. The provision of appropriate cycle storage would also help to mitigate any impact on parking.
- 8.19 The property's use as a single dwellinghouse would generate its own parking demands and therefore it is considered that the parking arrangements for the development are acceptable. As the street is a cul-de-sac, with on-street parking bays and a parking enforcement regime, it is not considered that the proposal would lead to any highways safety concerns. The application therefore accords with Policies HO3, MO2 and MO4 of the NLPP2, Policy H5 of the WNJCS, the NPPF and the HiMO 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 and Recycling Storage

- 8.20 Under Principle 2 of the HiMOs SPD HiMOs are required to provide suitable refuse storage to accommodate waste and recycling within the site curtilage. A refuse storage area is shown on the submitted plans within the rear amenity space and a condition requiring its provision prior to first use is recommended.

Neighbour Amenity

- 8.21 The proposal is for a residential use within 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. The area concentration (see above) does not indicate that there would be an amenity issue arising from the proportion of HiMOs in the area. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues, would be justified.

Flood Risk

- 8.22 The site does not fall within Flood Zones 2 or 3 and consequently is not at high risk of flooding. As such the bedroom on the ground floor is not considered to be problematic from a flood risk perspective.

Impact on Conservation Area

- 8.23 There will be no external changes to the property and the residential occupation of the building is not altered by the proposal. No objection was raised by the Conservation Team. Consequently, having regard to Policy ENV6, the proposal is considered to conserve the appearance and historic character of the Boot & Shoe Quarter Conservation Area.

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 and would not adversely affect the character of the local area and streetscene. Furthermore, the development would be within a highly sustainable location having regard to access to shops, public transport and other everyday service. The use of the property as an HiMO is not considered to cause significant harm to the amenity of residents of neighbouring properties. The property is of sufficient size to accommodate the level of occupancy as proposed, is not at risk of flooding and would not harm the character of the conservation area.
- 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, Policies SD1, Q1 Q2, Q5, HO3, ENV6, MO2 and MO4 of the Northampton 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:

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ASM-23-K2-003b, ASM-23-K2-001

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Occupancy

3. The maximum number of occupiers shall not exceed 4 at any one time

Reason: To prevent over-development to accord with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy HO3 of the Northampton Local Plan Part 2.

Bicycle parking

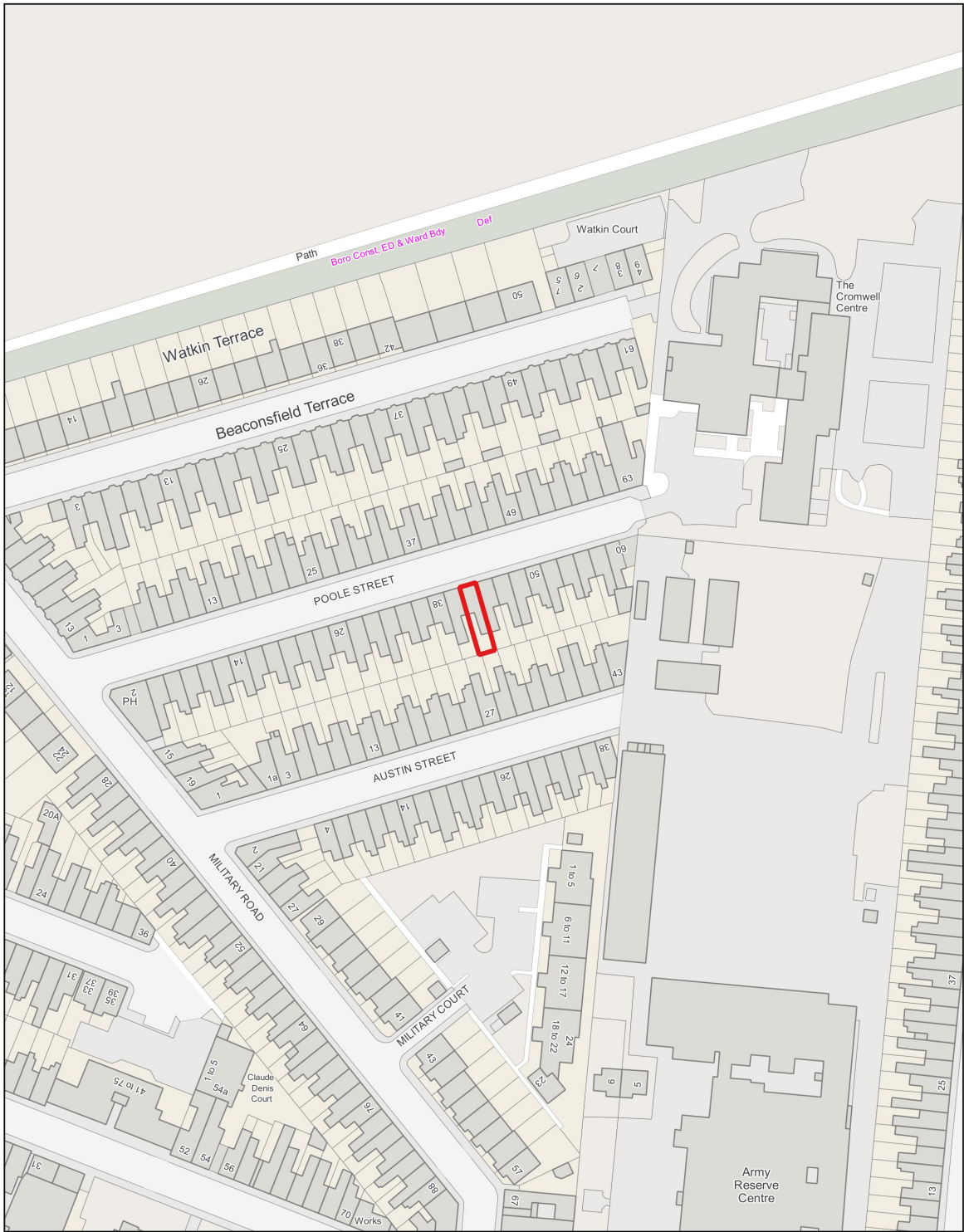
4. Prior to first use of the dwelling as a House in Multiple Occupation the facilities for the secure and covered parking of bicycles shall be constructed as shown on plan ASM-23-K2-003b and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the West Northamptonshire Core Strategy and Policy HO3 of the Northampton Local Plan Part 2.

Refuse

5. Prior to first use of the dwelling as a House in Multiple Occupation the facilities for the storage of refuse and materials for recycling shall be constructed as shown on plan ASM-23-K2-003b and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy HO3 of the Northampton Local Plan Part 2.



**West
Northamptonshire
Council**

Title: **42 Poole Street, Northampton**

© Crown copyright and database rights 2022 Ordnance Survey licence no. 100063706

Date: 26-05-2023

Scale: 1:1,250 @A4

Drawn: M Johnson