



# Planning Committee Report

**Committee Date:** 7<sup>th</sup> June 2022

**Application Number:** WNN/2022/0181

**Location:** 141 Wycliffe Road, Northampton, NN1 5JJ

**Development:** Conversion of Dwellinghouse to House in Multiple Occupation (Sui Generis) for 7 occupants and 1no One Bed Ground Floor Flat (Use Class C3) with single storey flat roof rear extension, bin storage and alterations to fenestration

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**Applicant:** Mr Pickering

**Agent:** Archi-tec Architectural Design

**Case Officer:** Jonathan Moore

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**Ward:** Abington and Phippsville Unitary Ward

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**Referred By:** Councillor Z Smith

**Reason for Referral:** Overdevelopment, impact on residential amenity and the exacerbation of existing parking issues

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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 for Place and Economy to approve any amendments to those conditions as deemed necessary.

### **Proposal**

Permission is sought to convert an existing 6 bedroom dwelling into 7 person House in Multiple Occupation and one bed flat converting the existing garage and extending to rear 6.2m with a flat roof single storey rear projection. There would also be amendments to front fenestration to change the garage door and also provide bin storage in the existing back garden. There is sufficient room for cycle storage in the rear amenity space.

### **Consultations**

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

- Private Sector Housing

Highways raise concerns to the application

Letters of objection have been received from 3 separate addresses

## **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
- Flood risk
- Parking
- Refuse
- Amenity

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 an existing 6 bedroom dwelling located along a residential street to the south of the Wellingborough Road connecting it with Billing Road to the south. The property is served by on street parking the entire length. The site is in a low risk flood zone and is an unlisted building.

### **2. CONSTRAINTS**

- 2.1 There are no relevant planning constraints.

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

- 3.1 The development is for a 7 person HIMO and single bed flat adjacent with bin stores to rear. The access would be taken from the front from Wycliffe Road. The proposal; relates solely to the ground and first floor with no accommodation in the cellar or loft.

### **4. RELEVANT PLANNING HISTORY**

- 4.1 There is no planning history directly relevant to the proposal since 1994

### **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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.3 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 (Part 2) (LPP2)**

- 5.4 The relevant Saved Policies of the LPP2 are:

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

### **Material Considerations**

- 5.5 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) (LLP2)**

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:

The relevant policies of the LPP2 are:

- Policy 1 Sustainable development (Significant weight)
- Policy 2 – Placemaking (Moderate weight)
- Policy 3 – Design (Moderate weight)
- Policy 4 – Amenity and layout (Moderate 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 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.

<b>Consultee Name</b>	<b>Comment</b>
Private Sector Housing	The property is suitable for 7 persons in 7 households and the proposed flat is adequate size
Highways	<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. Although this may be considered a minor increase, the cumulative impact of multiple HiMO developments being approved</p>

	<p>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. 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 these, along with the associated issues outlined above. Parking for houses in multiple occupation should ideally be 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. 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. Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process.</p>
Cllr Z Smith	Needs to meet National Space Standards, overdevelopment and parking refuse concerns

## 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 Objections from 3 neighbours on the following grounds:

- Over crowding
- Out of keeping with demographics of area
- Object to garage conversion
- Cramped living
- Residential amenity
- Parking issues
- Poor quality of living
- Party wall concerns
- Police issues
- Anti-social behaviour issues
- Increased in traffic

## 8. APPRAISAL

### Principle of Development

8.1 The conversion of the existing dwelling to a HMO and flat 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. The principle of

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

#### Area Concentration

- 8.2 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.
- 8.3 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.
- 8.4 Council records evidence that there are 3 other HMOs within a 50m radius of the application site. The use of this property as a HMO would therefore equate to only 3.6 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.
- 8.5 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

- 8.6 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 7 people would ensure over-development does not occur. The proposal would meet the requirements for a 7 occupant HMO. All habitable rooms would be served by adequate outlook and light for the flat and HMO proposed.

#### Development and Flood Risk

- 8.7 The site lies in Flood Zone 1 and is therefore classified as being at the lowest risk of flooding. The proposal would therefore comply with Policy BN7 of the JCS.

#### Highways/Parking

- 8.8 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.

- 8.9 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).
- 8.10 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.
- 8.11 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.
- 8.12 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

- 8.13 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.

#### Residential Amenity

- 8.14 The NPPF advises that good design is a key aspect of sustainable development. Paragraph 130 advises on the need to ensure that new development provides a high standard of amenity for existing and future users. These aims are reiterated in Policy

H1, criterion f) of the West Northamptonshire Joint Core Strategy which states that, amongst other considerations, housing development will be expected to have regard to the living conditions provided for future residents.

- 8.15 Policy 4 of the Emerging Local Plan seeks to ensure new residential development meets the space standards as set out in the Nationally Describe Space Standards (NDSS) and is a material consideration of moderate weight. The minimum recommended space for a 1-bedroom dwelling for 1 person is 37 square metres in the NDSS. The government has also published the National Design Guide, which states in Paragraph 126 that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes...'. It also states that Local Plans may adopt the Nationally Described Space Standards in order to ensure occupants of proposed dwellings have suitable levels of internal space. It is acknowledged that the Council has not yet adopted the NDSS however, emerging policy is a material consideration that can be given some weight and there is relevant adopted policy in respect of ensuring a good standard of amenity for proposed occupiers and the NDSS is considered an appropriate standard by which to assess what is an appropriate level of amenity.
- 8.16 In this case, the proposed flat is over the required 37 square metres standard and all habitable rooms would have sufficient light and outlook from windows. The provision of sufficient bin and cycle storage would also be secured by condition to accord with Policy H1 of the JCS and there is sufficient space on site to secure this.

#### Effect on Neighbour amenity

- 8.17 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. In terms of the rear extension, this would have limited effect on amenity of adjoining occupiers given the screening behind a tall boundary wall, separation and relationships.

### **9. FINANCIAL CONSIDERATIONS**

- 9.1 CIL is not chargeable on this application

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

- 10.1 The proposal is assessed against local and national policy and in this case it is considered that the principle of residential development is acceptable. It is considered that the impact on visual and residential amenity, parking, highway safety and neighbours is acceptable and the application is recommended for approval with the conditions as follows.

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

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

#### Time

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:

P67: Location Plan and Block Plan  
P67 – 1: Plans and Elevations as Existing  
P67 – 2B: Plans and Elevations as Proposed

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

### Refuse Storage

3. Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building(s) hereby permitted and thereafter retained.

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.

### Cycle Storage

4. Full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

### Occupancy

5. The maximum number of occupiers in the HMO shall not exceed 7 at any one time

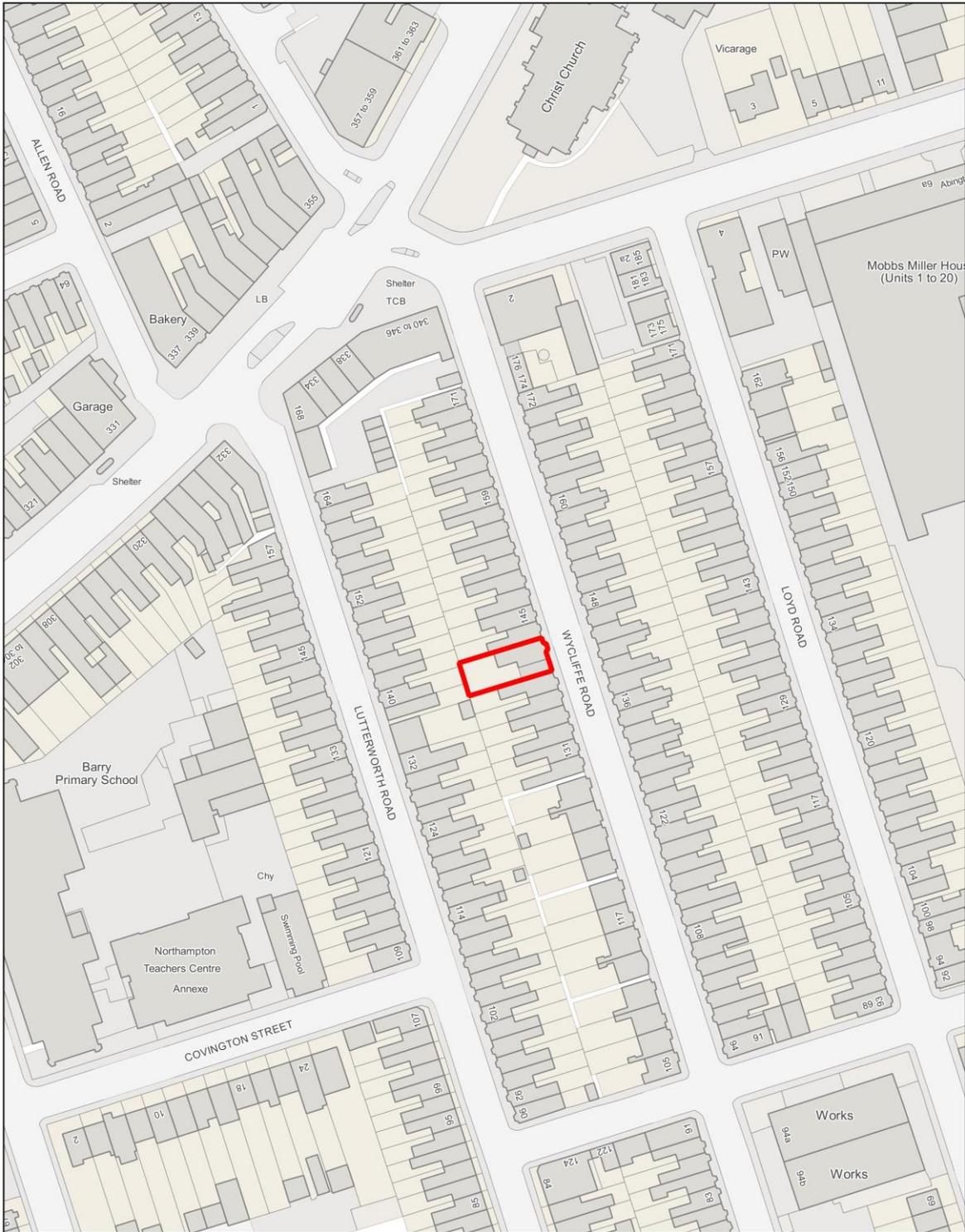
Reason: in the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

### Use of Basement

6. The cellar shall not be used for any form of habitable accommodation.

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

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**West  
Northamptonshire  
Council**

Title: **141 Wycliffe Road**

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