



**PLANNING COMMITTEE:** 11 June 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0444:** Retention of use of property as house in multiple occupation for 4 tenants at 71 Hervey Street

**WARD:** Castle

**APPLICANT:** Ricky Darwin  
**AGENT:** James Duggan, Stonhills

**REFERRED BY:** Cllr Stone  
**REASON:** Would result in an overdevelopment of the building

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 APPROVAL** subject to conditions and for the following reason:

The proposal would not have an undue detrimental impact on the character of the locality or on the residential amenity of the area and would not give rise to highway safety problems. There would also be a neutral impact on the Boot and Shoe Quarter Conservation Area. The proposal is therefore compliant with the guidance contained within the National Planning Policy Framework and with Policies H6, H30 and E26 of the Northampton Local Plan.

**2. THE PROPOSAL**

**2.1** Full planning permission is sought for change of use of a dwelling house to 4 person HIMO. Permission is required as the site falls within the Article 4 Direction Area which removes permitted development rights for changes of use to small HIMOs (between 3 and 6 persons) The use has been implemented already without the benefit of planning permission.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a 2 storey terraced property located in a Primarily Residential Area as defined by the Northampton Local Plan Proposals Map. The site is within the Boot and Shoe Quarter Conservation Area and parking is provided on street at the front. The property has a private rear garden over 11 metres deep.

### **4. PLANNING HISTORY**

- 4.1 No recent planning applications.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises the saved policies of the Northampton Local Plan 1997.

#### **5.2 National Policies**

National Planning Policy Framework (NPPF)

#### **5.3 Northampton Borough Local Plan**

E26 - Conservation Area

H6 - Housing In Primarily Residential Areas

H30 - Multi-occupation within a dwelling

#### **5.4 Supplementary Planning Guidance**

Planning out Crime in Northamptonshire SPG 2004

### **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Built Conservation (NBC)** no objections

- 6.2 **Private Sector Housing (NBC)** no comments received at the time of drafting the report.

- 6.3 **Highway Authority (NCC)** According to current parking standards any applications for HIMO's will require a minimum of 2 car parking spaces for 5 tenants. Therefore the above application for change of use will require 2 car parking spaces. None of the parking spaces can be confirmed and Hervey Street itself is a very busy street.

- 6.4 **54, 56, 73 Hervey Street and 10 Hunter Street** (Double H Residents Association) objects:-

- Concern on rubbish, strain on utility services, internet, noise causing

discord among residents

- The house was occupied by a married couple recently and not several unrelated people
- Main concern is impact on increased parking pressure

## **7. APPRAISAL**

### ***Policy context***

- 7.1 The National Planning Policy Framework (NPPF) does not offer specific guidance to Local Planning Authorities (LPAs) in respect to dealing with applications for the change of use from a dwelling to a house in multiple occupation. It does however urge LPAs to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (paragraph 50).
- 7.2 Saved policies contained within the Northampton Local Plan continue to constitute part of the Development Plan; consequently the proposed use should be assessed against Policy H30 which states that permission for such a use should be granted as long as the property is of sufficient size. Policy H30 continues to stipulate that proposals should not result in an over-concentration of similar uses that would be detrimental to the amenities of neighbouring residents in the locality, and should not create a substantial demand for on-street parking in areas experiencing local difficulties in this respect. The specific requirements of Policy H30 shall be considered individually within the following sections of this appraisal.

### ***Size of property***

- 7.3 The submitted plans clearly show that the property provides 4no. separate bedrooms, one on the ground floor and 3 on the first floor (total of 4 residents). In addition, a shared kitchen and lounge/dining room are provided at ground floor level. The property also benefits from a reasonable rear garden some 11 metres in length. It is considered that the property is of sufficient size to accommodate the use. All of the proposed bedrooms appear to be appropriately proportioned (all measuring approximately 9.3 to 11 square metres in area) whilst a communal living area would also be provided. The property is able to acceptably accommodate up to 4 people.

### ***Over-concentration of use and impact on amenity of neighbours***

- 7.4 From recent data collected, such as Council Tax records, it is evident that there are examples of HMOs on the same street. However these represent a reasonably small proportion of the properties in the street (in summary based on the OS maps of the street there are some 89no. properties on Hervey Street of which combined Planning, Private Sector Housing and Council Tax records indicate that there are some

7no. recorded HIMOs in the Street in addition to this property). It is therefore considered that the character of this street already reflects the proposed use and that the addition of a further HIMO would not adversely harm the existing character of the surrounding area.

- 7.5 The site is afforded amenity areas to rear, which is readily used for the storage and placement of refuse and recyclables. In terms of potential noise disturbance, the applicant has submitted a Management Plan which details that in case of emergencies the agent can be contacted on a phone number provided.
- 7.6 It is considered that the proposed maximum of 4no. occupants does not represent substantial intensification in comparison to how the property was previously used as a family home. It is therefore considered that potential disturbance would be unlikely to be significant. It is also considered that given the number of occupants and size of the property that there would unlikely be an over-development of the site. All habitable rooms are also currently served by adequate outlook from existing windows providing occupiers with acceptable residential amenity.

#### ***Parking***

- 7.7 The application site has no off-street parking like the majority of the houses in the street. On-street parking is available in Hervey Street and the surrounding streets, with a number of on-street parking bays opposite the site. Visits to the site by officers indicated that there is spare capacity and the area would not appear to be experiencing notable difficulty in terms of accommodating demand for on-street car parking. In response to the Highway Authority's comments it is considered that the proposed use is unlikely to result in a significant increase in demand for parking over and above the lawful use as a 3-bedroomed house. The site is also located in close proximity to Kettering Road which is well served by a range of retail and community facilities including bus services into and out of the town centre.

#### ***Impact on appearance and character of the Boot and Shoe Quarter Conservation Area***

- 7.8 Given that there would not be any external changes to the building it is considered that the impact on conservation area would be minimal as reflected in the advice of the Council's Conservation Officers.

#### ***Other matters***

- 7.9 Concerns raised by the objector on the impact on utility services and use of internet are not matters under the control of the planning system and therefore hold little weight in decision making.

## **8. CONCLUSION**

- 8.1 The proposal would not have an undue detrimental impact on the character of the locality or on the residential amenity of the area and would not give rise to highway safety problems or adverse impact on the conservation area. The proposal is therefore compliant with the guidance contained within the National Planning Policy Framework and with Policies H6, H30 and E26 of the Northampton Local Plan.

## **9. CONDITIONS**

- (1) The premises shall be used as a house in multiple occupation for a maximum of four residents only.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents in accordance with Policy H30 of the Northampton Local Plan.

- (2) The development hereby approved shall be carried out fully in accordance with the approved Management Plan received on 21 May 2013.

Reason: To ensure that a satisfactory level of residential amenity is provided in accordance with Policy H30 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

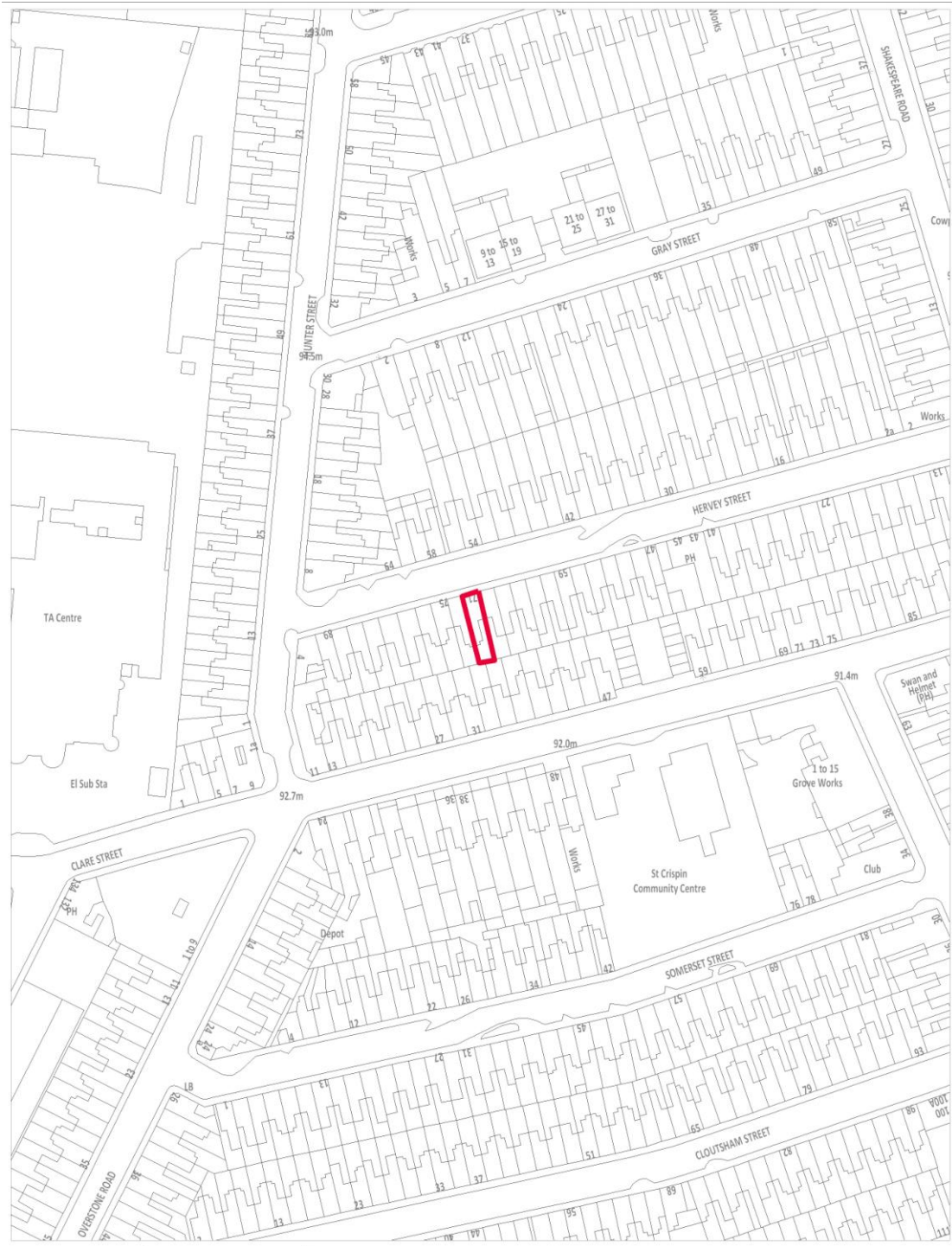
- 10.1 N/2013/0444.

## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: Planning  
 Date: 24th May 2013  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title  
**71 Hervey Street**

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