



CABINET REPORT

Report Title	HOUSES IN MULTIPLE OCCUPATION INTERIM PLANNING POLICY STATEMENT
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	12 th November 2014
Key Decision:	Yes
Within Policy:	Yes
Policy Document:	Yes
Directorate:	Regeneration, Enterprise and Planning
Accountable Cabinet Member:	Councillor Tim Hadland
Ward(s)	All wards

1. Purpose

- 1.1 This report seeks Cabinet's approval to adopt the Houses in Multiple Occupation Interim Planning Policy Statement (IPPS), which was released for consultation between August and October 2014. The public consultation exercise was undertaken in conformity with the planning regulations set out in the Planning & Compulsory Purchase Act 2004 (as amended 2012).

2. Recommendations

That Cabinet:

- 2.1 Consider the representations made to the public consultation exercise held between the 7th August and the 2nd October Houses in Multiple Occupation Draft Interim Planning Policy Statement and Officer responses as shown in the Consultation Statement (Appendix 1).
- 2.2 Agree the proposed changes to the Houses in Multiple Occupation Draft Interim Planning Policy Statement as set out in the Consultation Statement.

- 2.3 Approve the adoption of the Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) as set out in Appendix 2 (at the link below)

<http://www.northampton.gov.uk/download/downloads/id/7529/himo-draft-ipps>

3. Issues and Choices

3.1 Report Background

- 3.1.1 Northampton's town centre is continuing to grow and regenerate as part of the Northampton Alive programme, the relocation of the University of Northampton to the Central Area of Northampton is a critical element of this. This activity will see a boost in the local economy, culminating in housing, commercial and educational growth. Key to this growth will be an increase in the demand for rented properties, particularly from students who will be looking to live within the vicinity of the new University campus. Areas like the town centre and Far Cotton could see an increase in demand for Houses in Multiple Occupation (HiMO). In addition, with the expected population increase, there will be a related increase in the number of people seeking HiMO rented accommodation, particularly as not everyone will be in a position to afford or have the desire to either rent or purchase a self-contained dwelling.
- 3.1.2 The West Northamptonshire Joint Core Strategy (submitted 2012, modified 2014), together with the saved policies contained in the adopted Northampton Local Plan (June 1997), provide planning policy for guiding future proposals for HiMOs Northampton. The key consideration in both these documents is the need to ensure that the character and amenity of the area where the application is being proposed is not adversely affected. However, further guidance is required to explain how the Council will assess the impact that such proposals have on the character and amenity of an area, as well as the standards required for HiMOs so that their uses are acceptable for both the occupants and surrounding neighbours, whilst attempting to meet increasing demand.
- 3.1.3 The Houses in Multiple Occupation Interim Planning Policy Statement aims to inform landlords and property owners about the development management process involved in submitting a planning application, including cases where Permitted Development Rights have been removed by Article 4 Directions. It will also inform applicants about a range of criteria which the Council will consider, to ensure that the proposal will not adversely impact on the character and amenity of the area and that adequate facilities and health and safety measures are incorporated.
- 3.1.4 Once adopted, the Council will prepare an Adoption Statement, make the document available for general inspection, and publish the documents on the website.

3.2 Houses in Multiple Occupation Interim Planning Policy Statement

3.2.1 The Interim Planning Policy Statement provides explanation to landlords and property owners about when planning permission is required for change of use from a dwellinghouse to a house in multiple occupation (HiMO). It gives information on the impact of Permitted Development Rights, and, where Article 4 Directions have removed these rights, explains that planning permission needs to be obtained.

The IPPS contains 4 key principles which the Council will use to consider future planning applications. These principles can be summarised as follows:

- The application of a 15% HiMO threshold within a 50 metre buffer zone. This provides a reasonable benchmark that can provide a robust assessment of striking a balance between providing for future needs and supporting a balanced, mixed and inclusive community.
- Securing the provision of adequate facilities/amenities for properties, and minimising flood risk.
- Providing for sustainable development, taking into consideration the need for adequate parking provision.
- Ensuring adequate refuse provision and storage are available to meet the proposed demand.

3.2.2 In respect of the first principle, this threshold is considered to provide a reasonable basis on which to consider future impact, recognising the need to provide for meeting needs for HiMOs whilst not leading to an over-concentration, particularly in denser areas.

3.3 Public consultation

3.3.1 In preparing the draft IPPS, the Council set up an Officer Steering Group to include Officers from Development Management, Conservation, Enforcement and Private Sector Housing. All had input into the draft that was issued for consultation.

3.3.2 A Consultation Statement has been prepared which sets out who was consulted and how responses were addressed (see Appendix 1).

3.3.3 A total of 6 responses were received. In summary, there were no objections to the principles. There were recommendations associated with strengthening the principles, particularly in relation to conservation areas, parking and flooding matters.

3.4 Choices (Options) for producing the guidance document

Option 1: Do nothing

3.4.1 The Council does not currently have a Houses in Multiple Occupation Planning Policy Statement or a Supplementary Planning Document. Instead,

it relies on the emerging West Northamptonshire Joint Core Strategy and the saved policies contained in the adopted Northampton Local Plan, together with general policy advice contained in the National Planning Policy Framework, to provide planning policy direction when determining planning applications. With the growing housing and commercial interests in the town centre and the relocation of the University of Northampton, there is a likelihood that demand for rented properties will further increase. Clearer guidance is therefore required to ensure that demand is met but at the same time, the character and amenity of the area should not be adversely affected.

- 3.4.2 By doing nothing, there is the potential that more and more dwellings will be converted into houses in multiple occupation without due consideration of the impact on the character and amenity of an area. This could potentially result in unacceptable changes to the physical appearance of the immediate streetscene/neighbourhood, as well as increasing environmental concerns such as litter and noise.

Option 2: Approve the adoption of the IPPS

- 3.4.3 The document, if adopted, will accord with the necessary processes set out in Statutory Regulations associated with adoption of Supplementary Planning Documents. It will therefore carry significant weight when used as part of the planning process in determining future planning applications. The representations received have been considered and the document has been amended to take these observations into account. It will provide the necessary guidance and clarification to developers and applicants so that they are clear about when planning approval is required, and what needs to be provided within the new accommodation.

- 3.4.5 This document will strengthen the Council's ability to support an appropriate level of houses in multiple occupation within a specified area, without jeopardising the character and amenity of that area.

Option 3: Approve the adoption of the IPPS, with amendments

- 3.4.6 The document can be further amended should Cabinet consider there to be sound planning reasons which are justified by the evidence base.

- 3.4.7 It is recommended that Option 2, be pursued.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The draft document sets out further guidance on how the West Northamptonshire Joint Core Strategy Policy H6 and saved Policy H30 of the Northampton Local Plan can be implemented.
- 4.1.2 The Houses in Multiple Occupation Interim Planning Policy Statement will provide a clear framework to assist applicants, landlords and property owners in understanding when a planning application should be submitted, when it is a Permitted Development Right and when Article 4 Directions are in place. It

also provides details of the acceptable thresholds for HiMOs within a specified area, which aims to minimise adverse impacts on the local character and amenity. In addition, it provides information on the property standards required to ensure that the HiMO will be safe not just for its occupants but its neighbours as well.

4.2 Resources and Risk

4.2.1 Financial Implications – the Statement should bring some financial benefits in terms of Officer time, although these are difficult to quantify. These benefits will be through savings in the determination of applicants which should be better quality and not need much negotiation on amendments / dealing with refusals. Improved understanding of the facilities and licencing requirements associated with HiMOs should also reduce demands on Officers in Environmental Health and Private Sector Housing.

4.3 Legal

4.3.1 The draft document has been produced in accordance with the relevant planning regulations contained in the Planning and Compulsory Purchase Act 2004 (as amended 2012). Once adopted as an Interim Planning Policy Statement, it will become a significant material consideration in the determination of planning applications. The document has interim status as the West Northamptonshire Joint Core Strategy Policy H6 has yet to be adopted; in addition work is being prepared on the Local Plan Part 2, which will further inform local development management policy. Following this work it is intended that the document would be revised and adopted as a Supplementary Planning Document informing future policy direction.

4.4 Equality

4.4.1 Consistent with the duties placed under the Equality Act 2010, a Community Impact Assessment was prepared to summarise how the Council has had due regard to the public sector equality duty (as outlined in the Equality Act 2010) in its decision making process. In completing the Community Impact Assessment, Officers have assessed how the principles contained in the IPPS can eliminate discrimination, advance equality of opportunity and foster good relations.

4.4.2 The policies contained in both the West Northamptonshire Joint Core Strategy and the adopted Central Area Action Plan, have also been subjected to a comprehensive Equality Impact Assessment and a Sustainability Appraisal.

4.5 Consultees (Internal and External)

4.5.1 Meetings with internal colleagues within the following sections assisted in shaping the contents of this document: Development Management, Built and Natural Heritage, Enforcement, Private Sector Housing and Community Engagement. In addition, legal advice has been provided from the Local Government Shared Service resource.

4.5.2 Public wide consultation: A formal 8 week public consultation was undertaken between the 7th August and the 2nd October 2014 (see Appendix 1, Consultation Statement, for further details).

4.6 How the Proposals deliver Priority Outcomes

4.6.1 The implementation of this document by landlords and property owners, and Development Management Officers, will result in an effective planning process and the provision of adequate and safe rental accommodation without jeopardising the character and amenity of the area. This will contribute towards the Council's priority to help ensure that Northampton will have better homes for the future¹. It will also contribute to the Corporate Plan's objectives to help its residents have access to a home, and promote health and well-being. By clarifying and increasing the effectiveness of determining planning applications, the Council will meet its priorities in delivering excellent customer service and in delivering value for money services.

4.7 Other Implications

4.7.1 None.

5. Background Papers

- 5.1 West Northamptonshire Joint Core Strategy, (Submitted December 2012, Modified January 2014)
- 5.2 Northampton Central Area Action Plan, (Adopted January 2013)
- 5.3 Northampton Adopted Local Plan, Saved Policies (Adopted June 1997)

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¹ Northampton Corporate Plan 2012 - 2015