



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1293: Change of use from dwelling (Use Class C3) to house of multiple occupation (Sui Generis) for 7 people at 16 Hopmeadow Court

WARD: Talavera

APPLICANT: Mr Sam Maddrell
AGENT: Mr Rod Kilsby

REFERRED BY: Cllr D Meredith
REASON: Overbearing development not in keeping with the area

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The development is therefore in accordance with the requirements of the National Planning Policy Framework, Policy H5 of the Adopted West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the Houses in Multiple Occupation Interim Planning Policy Statement.

2. THE PROPOSAL

2.1 The application seeks planning permission to change the use of the building to a house in multiple occupation for seven people. The application is submitted retrospectively as the use is existing although not all rooms are currently let. The property has been previously occupied as a HiMO not exceeding 6 persons. No external changes have been made to facilitate the change of use.

3. SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced three storey property located within the eastern district. The property has a front garden facing onto a green area which is surrounded by similar dwellings and a rear garden shared with no. 15 Hopmeadow Court. No 15 already has planning permission for use as a HiMO for 7 occupants. Half of the rear garden is block paved and half is laid to lawn with a large shed occupying part of the garden. Rear access leads onto to Nether Jackson Court with public parking lay-bys located to the rear.

4. PLANNING HISTORY

- 4.1 Planning permission N/2014/0924 was granted in October 2014 for 15 Hopmeadow Court to be used as a house in multiple occupation for 7 people.

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 Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

NPPF – National Planning Policy Framework

Paragraph 17 requires that new developments be of a good standard of design and secure a good standard of amenity.

Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. The JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy H5 of the JCS (Managing the Existing Housing Stock) states that the existing housing stock will be managed by:

- Restricting the loss of existing dwellings to other uses
- Securing the re-use of empty dwellings for residential use
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

E20 – New development should have an acceptable layout

H30 – houses in multiple occupation should be of sufficient size and have a neutral impact on the character of an area and should not create a substantial demand for on-street parking in areas judged to be experiencing local difficulties in this respect.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Houses in Multiple Occupation - IPPS November 2014 – provides principles for determining such applications.

5.6 **Other Material Considerations**

Emerging growing Together Neighbourhood Development Plan

On 11 September 2013, Northampton Borough Council's Cabinet designated Growing Together as a Neighbourhood Forum, and the estates of Blackthorn, Goldings, Lings and Lumbertubs as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. The Neighbourhood Plan builds upon the lottery funded Big Local programme. A pre-submission Neighbourhood Plan is expected to be published in Spring 2015. Recent community consultation has identified the following priorities to be addressed through the Neighbourhood Plan:

- Tackling crime and making the area feel safer;
- Improved facilities, activities and opportunities for children and teenagers;
- Improving and tidying up the local environment ;
- Supporting elderly and disabled residents.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Public Protection (NBC)** – Confirm that there are no noise complaints listed at this address.
- 6.2 **Private Sector Housing (NBC)** – Originally commented that there were not enough cooking facilities in the property to meet standards. Following the submission of amended plans increasing the number of cookers to two, Public Sector Housing state that the facilities would meet their standards.
- 6.3 **Highway Authority (NCC)** – No objection. It is noted that the proposed site meets the general requirements laid down within the draft HIMO Interim Planning Policy Statement, being located within 400m of a regularly served bus stop, which provides access to a number of very frequent services, and also providing segregated / covered cycle parking in the form of a cycle shed.

- 6.4 **Blackthorn/Goldings Residents Association** – No comments received.
- 6.5 **Councillors D Meredith** - Requests that the application be determined by the Planning Committee due to an overbearing occupation not in keeping with the area.

7. APPRAISAL

Principle of use

- 7.1 The site is located within an allocated residential area as defined in the Northampton Local Plan therefore a house in multiple occupation is in keeping with the existing land uses. The building includes seven bedrooms, 3 bathrooms and a kitchen/living room. The bedrooms have a satisfactory level of light, outlook and privacy which ensures that a suitable level of residential amenity has been secured for residents of the development.

Policy Implications

- 7.2 Policy H30 of the Northampton Local Plan can be given some weight in the determination of this application due to its general conformity with the NPPF. However, due to the age of the policy, it may not reflect up to date evidence of housing need. Policy H5 of the JCS is up to date and therefore relevant.
- 7.3 Whilst Policy H30 is dated, it is considered that as the room sizes and facilities provided are satisfactory this policy has been complied with. Initial objections from the Council's Private Sector Housing related to the provision of only one cooker. These objections have been overcome by the submission of amended plans showing the provision of two cookers. This was observed to be installed during a site visit which also confirmed the provision of a satisfactory standard of accommodation.
- 7.4 Policy H5 of the JCS states that Houses in Multiple Occupation will be permitted in instances where they would not adversely affect the character and amenity of the surrounding areas. Council records indicate that of the 43 properties in this street, 4 are in use as HiMOs. It is not considered that the character of this area would be significantly affected due to overconcentration of such a use. Whilst the development provides accommodation for 7 people it should be recognised that this figure is not substantially higher than the number of people that could occupy the building as a single dwelling. As a consequence of this it is considered the development has a neutral impact on the area's character.
- 7.5 The Interim Planning Policy Statement sets out 4 principles for determining HiMo applications as follows:
1. To create support and maintain a balanced, mixed and inclusive community and to protect the neighbourhood and streetscene character
 2. To secure the provision of adequate facilities and amenities and minimise flood risk
 3. To promote the use of public transport, cycling and walking and to secure the provision of adequate parking
 4. To ensure adequate refuse provision and storage

It is considered that Principles 1 and 2 have been complied with as discussed in the paragraphs above. Principles 3 and 4 are discussed below.

Neighbouring Amenity

- 7.6 No external changes are proposed to the property which ensures that the development has a neutral impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.
- 7.7 Other issues that may affect neighbouring amenity usually associated with HiMOs are problems with refuse storage and disturbance due to noise and the intensified use of the site. The applicant has confirmed that the property is managed by a letting agency who regularly visit the site to ensure standards are maintained. Points to note during the site visit were that an enclosed 'bin' cupboard is sited adjacent to the front door. The site also has a garden to the rear with an area for bin storage. Details of refuse collection days were posted on a notice board by the front door.
- 7.8 In terms of potential noise disturbance, it is not considered that the proposed maximum of 7 no. occupants would represent substantial intensification in comparison to how the property could be used as a family home. No noise complaints have been received by the Environmental Health Department relating to this property. A condition is recommended that would ensure that the number of residents occupying the property does not exceed seven. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not considered to be excessive.

Parking

- 7.9 It is accepted that the proposal does not include any allocated off street car parking however there are several parking bays immediately adjacent to the site that can be used by residents and the Highway Authority have no objections to the proposal. The site is located within 400m of a regularly served bus stop which provides access to a number of frequent services and it also provides cycle parking. The proposal therefore complies with the Houses in Multiple Occupation Interim Planning Policy Statement. As a consequence, the lack of off street car parking does not render the application unacceptable.

8 CONCLUSION

- 8.1 It is considered that this application is in accordance with planning policy. The property is large enough for 7 people; there is no over-concentration of similar uses in the area which would result in a detrimental impact upon amenity and the character of the area. The site lies in a sustainable location and the development does not create an adverse impact upon the surrounding highway system.
- 8.2 The proposed use is of a residential nature within a residential area and is compliant with the guidance contained within the NPPF and Policies H5 of the JCS, Policy H30 of the Northampton Local Plan and advice contained within interim Planning Policy Statement, Houses in Multiple Occupation. The application is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be implemented fully in accordance with the approved plan 14-205 Rev B.

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

- (2) The maximum number of occupiers shall not exceed 7 at any time.

Reason: To prevent over-development to accord with the NPPF and Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

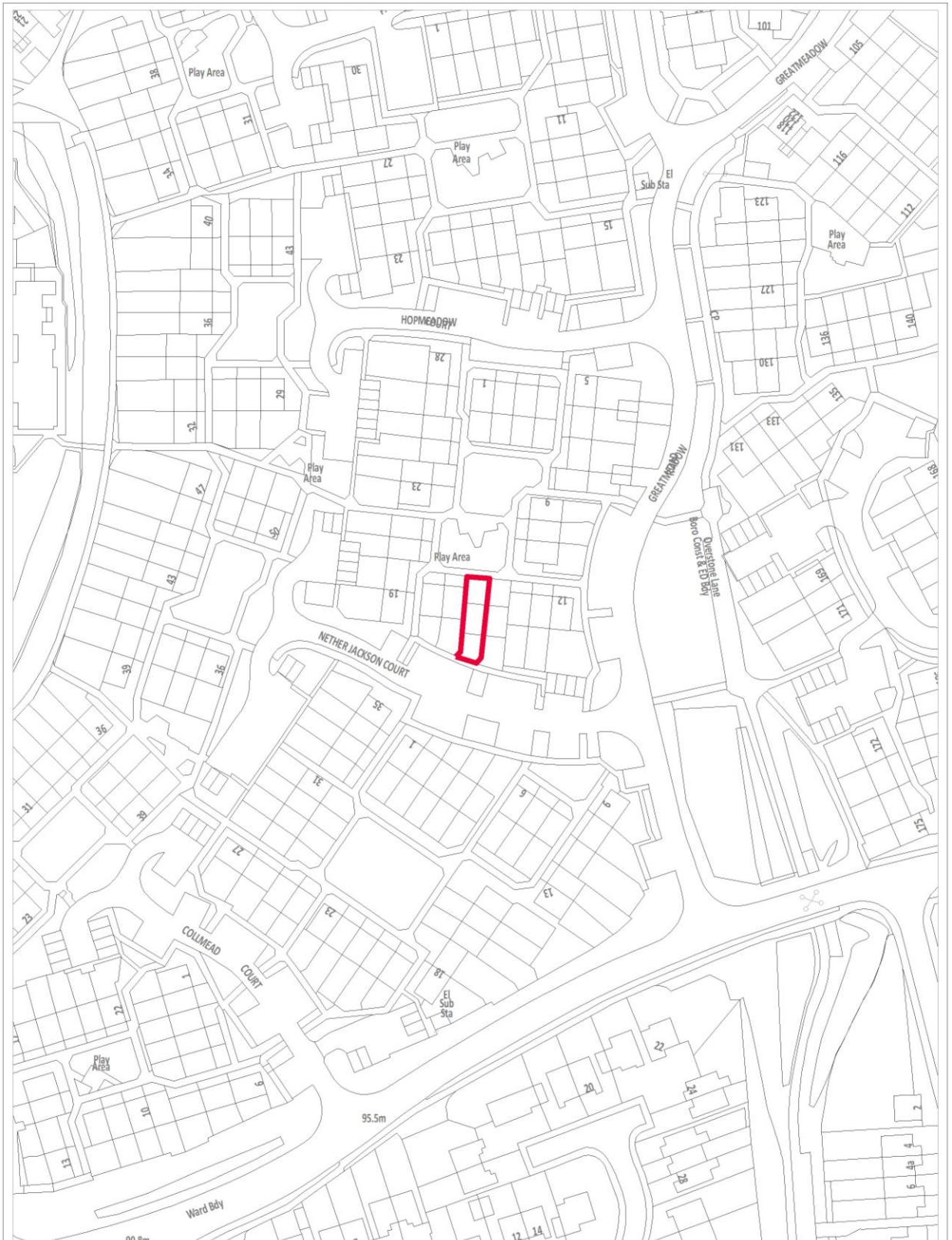
- 10.1 N/2014/1293.

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: Location Plan
 Date: 8th January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
16 Hopmeadow Court

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