

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 4 August 2015  
(Re-convened from 28 July 2015)**

**PRESENT:** Councillor Oldham (Chair); Councillors Aziz, Birch, Davenport, Golby, Haque, Hill, Larratt and Meredith.

**OFFICERS:** Steve Boyes (Director of Regeneration, Enterprise and Planning), David Hackforth (Interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader) and Theresa Boyd (Solicitor).

### **1. APOLOGIES**

Apologies for absence were received from Councillors Lane, Lynch and McCutcheon for this reconvened meeting (continued from the meeting held on 28 July 2015).

### **2. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:** That under the following items the members of the public listed below be granted leave to address the Committee:

#### **N/2015/0478**

Councillor Stone (with the approval of the Chair as Ward member). Councillor Stone indicated that her comments applied to all the applications on the agenda.

Mr James Duggan

#### **N/2015/0554**

Mr Richard Jackson

#### **N/2015/0625**

Mrs Liang Zong

#### **N/2015/0630**

Mr David Croissant

### **3. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Aziz declared disclosable pecuniary interests in Items 6 (N/2015/0478) and 7 (N/2015/0505) as the property owner of 74 Military Road, Northampton. He left the room whilst the applications were discussed and determined.

### **4. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

There were none.

### **5. ITEMS FOR DETERMINATION**

The applications for determination were considered as set out in the minutes below.

**6. N/2015/0478 - CHANGE OF USE FROM SINGLE DWELLING (USE CLASS C3) INTO A HOUSE IN MULTIPLE OCCUPATION (HIMO) FOR 4 RESIDENTS (USE CLASS C4) - RETROSPECTIVE APPLICATION AT 66 MILITARY ROAD**

Councillor Mohammed Aziz Rahman had declared a pecuniary interest in this application and left the room and took no part in the discussion or determination.

The Development Management Team Leader gave an overview of the HIMO situation in the Borough following licensing changes and outlined the work carried out by the Private Sector Housing Team in terms of identifying Houses in Multiple Occupation (HIMOs) and the consequent retrospective planning applications. He explained the link between this work and the Council's Interim Planning Policy Statement (IPS). He then submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The application was in accordance with the Council's HIMO Interim Planning Policy Statement (IPPS) of November 2014 and the Private Sector Housing Team had made no objections to the applications.

Councillor Stone, as the Ward member, addressed the Committee speaking against this application, indicating that her comments applied to all the applications on the agenda, and stated that the report should contain more information about the property and from the Private Sector Housing team. It was important to know who the landlords and agents were. She had called in this application and the others on the agenda as Castle Ward was an area of extreme pressures, including on health services, where more resources were needed and there was a need for family housing. She wanted to know the standards of the HIMOs as she had found them to be sub-standard.

In answer to the Committee's questions Councillor Stone stated that she had seen no evidence that the HIMOs met the Council's policy of no more than 15% within a 50m radius. She believed the HIMOs were in close proximity. She wished to have information on whether landlords would be present or not, the agents and the standards applied by the Private Sector Housing Team.

Mr Duggan, as the lettings agent, addressed the Committee speaking in favour of the application and stated that if the application was approved there would still be less than 15% of HIMOs within a 50m radius. No nuisance would be caused and no extra parking required and there would be adequate space for refuse. There had been some damp problems which had been rectified. The property would be let to students at the university. He considered the landlord, who would live at the property, to be very responsible.

In answer to the Committee's questions Mr Duggan stated that the property was checked in accordance with DASH (Decent and Safe Homes) regulations, monthly by the landlord and quarterly by the lettings agency. Tenants were lined up to move into the property in August. All rooms were decorated before being let.

The Committee discussed the report.

In answer to questions the Development Management Team Leader stated that the information related to HIMOs in the Borough could never be 100% accurate but he was confident that it was reasonably accurate, based on the information gathered by the Private Sector Housing team and collected from Council records. Also, CAN houses were possibly not classed as HIMOs, and that HIMOs were classed as dwelling houses under Building Regulations, similar to family dwellings, so that it would be unreasonable to require noise insulation on them.

The Committee considered that the standard of landlords of HIMOs should be a material planning consideration and asked the Director of Regeneration, Enterprise and Planning to write a letter to the Secretary of State on that issue.

Before the vote was taken the Chair asked the members of the public present to leave the room for a short period in order for the Committee to receive advice on conditions proposed in respect of the application. Members of the public returned to the room after that advice had been given.

#### **RESOLVED:**

1. That **APPROVAL** be granted subject to the conditions as set out in the report and for the following reason:

The development proposed would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact on the character and appearance of the property, the street scene, conservation area, nor would the proposal have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

2. That the Director of Regeneration, Enterprise and Planning be requested to write to the Secretary of State stating the Committee's view that the standard of landlords of HIMOs should be a material planning consideration.

#### **7. N/2015/0505 - CHANGE OF USE FROM A DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (HIMO) FOR UP TO FOUR RESIDENTS (USE CLASS C4) - RETROSPECTIVE APPLICATION AT 68 MILITARY ROAD**

Councillor Mohammed Aziz Rahman had declared a pecuniary interest in this application and left the room and took no part in the discussion or determination.

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

## **RESOLVED:**

That **APPROVAL** be granted subject to the conditions as set out in the report and for the following reason:

The development proposed would not lead to an unacceptable concentration of HIMO's within the locality and would not adversely impact on the character and appearance of the property, the street scene, conservation area, nor have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

### **8. N/2015/0554 - CHANGE OF USE FROM EXISTING DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 4 RESIDENTS (USE CLASS C4) AT 83 OVERSTONE ROAD**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

Mr Jackson, as the applicant, addressed the Committee speaking in favour of the application and stated that the application had been made after discussions with the university and the site chosen for its closeness to the university and town centre and was within the density guideless. The road was of diverse character. Anti-social behaviour would not be allowed at the property.

The Committee discussed the report.

## **RESOLVED:**

That **APPROVAL** be granted subject to the conditions as set out in the report and for the following reason:

The proposed development would not lead to an unacceptable concentration of HIMO's within the locality and would provide accommodation of a suitable standard. It would not have any significant impacts on the character and appearance of the host property, the streetscene or the Conservation Area. Nor would the proposal have any significant impacts on neighbour amenity or highway safety. The development is therefore considered to be in accordance with Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan, Policy 16 of the Central Area Action Plan and the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

### **9. N/2015/0561 - CHANGE OF USE FROM SINGLE DWELLING TO HOUSE IN MULTIPLE OCCUPATION FOR 5 RESIDENTS (USE CLASS C4) - RETROSPECTIVE APPLICATION AT 76 SOMERSET STREET**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

The Committee considered that noise attenuation measures should be applied to the property for the amenity of adjoining neighbours.

**RESOLVED:**

That **APPROVAL** be granted subject to the conditions as set out in the report with the following additional condition, for the reasons set out below:

The development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street scene or the conservation area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

**Additional condition:** Within two months of the date of this permission a scheme for noise attenuation measures for the internal adjoining neighbouring properties shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within four months of the date of this permission.

Reason: To protect the amenities of neighbouring residents to comply with Policy S10 of the West Northamptonshire Core Strategy.

**10. N/2015/0625 - CHANGE OF USE FROM DWELLING (USE CLASS C3) INTO HOUSE IN MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4) - RETROSPECTIVE APPLICATION AT 29 POOLE STREET**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

Mrs Liang Zong, as the applicant, addressed the Committee speaking in favour of the application and stated that had been bought in poor condition and renovated, including the addition of fire precautions. A shed for the storage of rubbish had been built in the garden. Lettings were to professional people. There had been no issues with tenants and if any complaints were received from neighbours they would be responded to.

The Committee discussed the report.

**RESOLVED:**

That **APPROVAL** be granted subject to the conditions as set out in the report and for the following reason:

The development proposed would not lead to an unacceptable concentration of HIMO's within the locality that would adversely impact on the character and appearance of the property, the street scene, conservation area, nor would the proposal have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed by condition and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

**11. N/2015/0630 - CHANGE OF USE FROM SINGLE DWELLING INTO A HOUSE IN MULTIPLE OCCUPATION (HIMO) FOR 3 RESIDENTS (USE CLASS C4) - RETROSPECTIVE APPLICATION AT 75 SOMERSET STREET**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

Mr David Croissant, as the owner and landlord, addressed the Committee speaking in favour of the application and stated that he had refurbished the property to a high standard and included fire precautions. The property would be let to students. He was a professional landlord, with other properties in Northampton, and a member of DASH (Decent and Safe Homes). There would be monthly inspections of the property.

In response to questions from the Committee Mr Croissant stated that he did not live in Northampton, where all his properties are, and would use maintenance teams for any works required.

The Committee discussed the report.

**RESOLVED:**

That **APPROVAL** be granted subject to the conditions as set out in the report and for the following reason:

The development proposed would not lead to an unacceptable concentration of HIMO's within the locality that would adversely impact on the character and appearance of the property, the street scene, conservation area, nor would the proposal have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

**12. ENFORCEMENT MATTERS**

There were no items.

### **13. ITEMS FOR CONSULTATION**

There were no items.

The meeting concluded at 7:45 pm.