



**PLANNING COMMITTEE:** 22<sup>nd</sup> December 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1272

**LOCATION:** 70 Booth Meadow Court

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants

**WARD:** Talavera Ward

**APPLICANT:** Mr Jacek Luniewski  
**AGENT:** Planners & Architects

**REFERRED BY:** Councillor J Duffy  
**REASON:** Parking, noise and refuse concerns

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

##### **1 RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 7 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on Thorplands Local Centre and bus stops. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

##### **2 THE PROPOSAL**

- 2.1 The application for a change of use from a dwellinghouse to a 7 occupant HIMO (Sui Generis).
- 2.2 Further internal alterations have been proposed with no external changes to the property. Five bedrooms will share bathroom facilities located on the first and second floors, with an additional toilet located on the ground floor. Two of the bedrooms will have an en-suite bathroom each. The proposed kitchen and living room will be located on the ground floor. Parking will be on-street.

### **3 SITE DESCRIPTION**

- 3.1 The site comprises a large end of terrace property over three floors. The property has a front yard and rear garden.

### **4 PLANNING HISTORY**

- 4.1 None relevant.

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

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**

**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:

Paragraph 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.

Section 12 – seeks to achieve well designed places.

#### **5.3 West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN7 - Flood Risk

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

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

## 5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

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 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – Following a review of the submitted information, the LHA has no comments to make regarding this application.
- 6.2 **NBC Environmental Health** – No comments to raise. Veolia should be consulted on suitability of waste and recycling provisions. Recommend informative regarding construction hours.
- 6.3 **Private Sector Housing** – Subject to adequate sizes the property is suitable for the 7 people in 7 households as requested. The applicant is advised that a combined kitchen/living room must be at least 24m<sup>2</sup> for the number of people requested. A separate toilet is also requested. Following amendments to the internal layout, Private Sector Housing are satisfied that the proposal meets requirements.
- 6.4 **Councillor Janice Duffy** - calls in the application on grounds that it would exacerbate lack of parking in the immediate area, and lead to increased noise and litter as a result of the HIMO.
- 6.5 **4 neighbour representations** objecting to the proposal have been received. Comments are summarised as follows:
- 7 occupants in one house is overcrowding.
  - The court is already overcrowded.
  - Lack of parking.
  - Existing fly tipping will be exacerbated.
  - People cannot be bothered to use/put out bins on collection days.
  - Multiple people already living in neighbouring properties.
  - Builders already making internal alterations.
  - Concern relating to current government guidelines and bubbles.
  - Neighbour privacy.
  - Concerns about noise.
  - Site a mess whilst works undertaken.
  - Parking survey is not correct.

## **7 APPRAISAL**

- 7.1 The principle of the conversion of the existing large dwellinghouse to a large HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area concentration**

- 7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

- 7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within the 50m radius, there are currently no other HIMOs (established or with planning approvals) on Booth Meadow Court, South Holme Court and Nicholls Court.
- 7.4 Neighbour concerns have been raised about the existing HIMOs. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 2.2%.
- 7.5 The proposed 2.2% concentration is within the threshold of 10% as described in the adopted SPD.

### **Size of property and facilities for future occupiers**

- 7.6 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use.
- 7.7 The property is considered to be of sufficient size, and it provides a mix of bedroom sizes of between 7.5 – 15.4m<sup>2</sup>. These will comprise of 7x single occupant bedrooms and all exceed the minimum bedroom size requirement of 6.51 sqm. For a 7 occupant HIMO set over 3 storeys and meeting the minimum size requirements, a 24 sqm combined kitchen/living/dining room is required. The ground floor provides a space of 24 sqm sufficient to accommodate this. The kitchen provides 2 sets of cooking equipment and 2 sinks in line with Private Sector Housing requirements. This is in accordance with the Council’s HIMO Facilities and Amenities Guidance.
- 7.8 The property provides a toilet and sink on the ground floor; a shower room including toilet on the first floor which would serve three bedrooms; an en-suite shower room to one bedroom on the first floor; a shared shower room serving two bedrooms to the second floor and a second en-suite shower room on the second floor. This would meet the requirement as stated in Principle 2 of the HIMO SPD 2019.
- 7.9 The kitchen and living room would be served by double doors with an additional window to the rear. This provides good outlook and light into this main shared space for future occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear elevations of the property. There is an adequate number of shower rooms for each of the bedrooms, two have their own en-suite facilities and there is also an additional W.C. to the ground floor. It is considered that this provides a good level of facilities for the number of occupants.

- 7.10 A condition restricting the use of the property to a maximum of 7 people could be imposed. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 7-occupant HMO.
- 7.11 There are no external alterations proposed to the property as part of this change of use application.

### **Flooding**

- 7.12 The application site is located in Flood Zone 1 and with very low risk of flooding.

### **Highways/Parking**

- 7.13 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site 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.
- 7.14 A parking beat survey has been submitted with the application, which has been seen by Northamptonshire County Council Highways. However, NCC are not accepting parking beat surveys during the current pandemic and have not raised any comments on the application in this respect. Neighbour representations have indicated that parking is in high demand in the local area.
- 7.15 The property is located on Booth Meadow Court, located within 400m of bus stops on Billing Brook Road which provides services between Rectory Farm and Northampton Town Centre. Buses also travel to the Weston Favell Shopping Centre. Close to these bus stops are facilities at a small Thorplands Local Centre. Whilst it is acknowledged that not all people who live close to bus stops will necessarily choose these as their main form of transport, the proposed location does mean the proposal is in accordance with the requirements of the HIMO SPD in respect of parking considerations. The SPD also requires that cycle storage is made available as another option for future occupants.
- 7.16 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the property for a sufficient amount of cycle storage (7 bicycles). Although adequate details of these are not shown on the submitted floorplans, this can be secured via a condition. The cycle storage would be accessible within the rear garden which also has a rear access. Further details including dimensions of the secure cycle storage for at least 7 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.17 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 7 parking spaces, which is an increase of 4 compared to the existing use, as parking the requirement for a 6-bed dwelling is 3 spaces. There are no off-road parking spaces provided as part of the proposal and parking in the area is on-street and within allocated bays. In the absence of parking provision, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is still considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

### **Refuse storage**

- 7.18 There is sufficient space to the rear and front of the property for the outdoor storage of waste prior to refuse collection days. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments

raised the potential for increased waste or fly tipping issues. However, the formal bin storage can be secured via condition and therefore easy access to the front for collection day would ensure that there is suitable provision for future tenants to utilise.

## **8 CONCLUSION**

- 8.1 The use of the property as a 7-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

## **9 CONDITIONS**

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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: TQRQM20273232633622, BMC/02 and BMC/03 rev B.

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

3. The development hereby permitted shall be occupied by a maximum of 7 residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

4. Prior to the occupation of development, details of facilities for the secure and covered parking of at least 7 bicycles shall be 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the occupation of development, details of facilities for refuse and recycling storage shall be 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: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

### **Informative**

- Please note that the premises will require licensing and room sizes and facilities will need to meet licensing requirements.

- In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours:

Monday – Friday 7.30 a.m. – 18.00 p.m.

Saturday 8.30 a.m. – 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority.

## **10 BACKGROUND PAPERS**

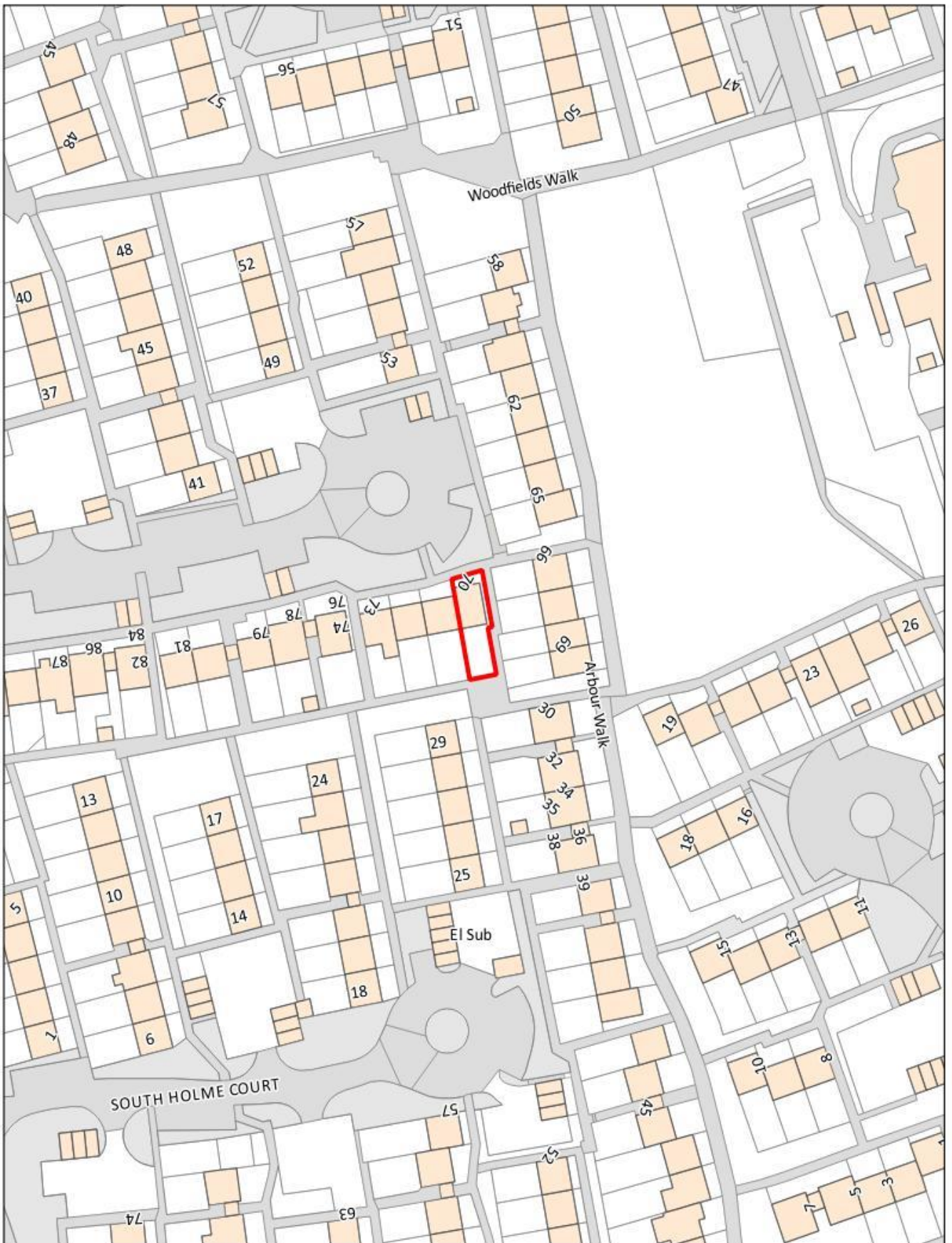
10.1 Application file N/2020/1272.

## **11 LEGAL IMPLICATIONS**

11.1 The development is CIL liable.

## **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.



Title: **70 Booth Meadow Court.**

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Date: 10-12-2020

Scale: 1:1,000

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