



**PLANNING COMMITTEE:** 28<sup>th</sup> July 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0589

**LOCATION:** 18 Talbot Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House In Multiple Occupation (Use Class C4) for 4 occupants

**WARD:** Castle Ward

**APPLICANT:** Mr Kalam Mohammad  
**AGENT:** N/A

**REFERRED BY:** Councillor D Stone  
**REASON:** Over-development

**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 proposed development is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants, would not be at risk from flooding or have significant adverse impacts on parking provision in this sustainable location. In addition, the proposal would have a neutral impact on the character and appearance of the Conservation Area. The proposal thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

### **2 THE PROPOSAL**

- 2.1 Permission is sought to convert a dwelling house into a House in Multiple Occupation for 4 persons (Use Class C4).
- 2.2 The proposal would see the conversion of a two bedroom dwelling to four bedroom HIMO with two bedrooms and a kitchen at ground floor, and two bedrooms and a separate bathroom above. The basement will be converted to a lounge/diner.

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises a mid-terraced, property located in a residential area with similar terraced properties on the street. The property has a lounge, dining room and kitchen at ground floor with 2 bedrooms and a bathroom on the first floor, and a basement.
- 3.2 The site is near to Kettering Road and within easy walking of the town centre and local services along the Kettering Road. The site is within close proximity to bus routes in the town centre and along the Kettering Road. The site is within the Boot and Shoe Quarter Conservation Area and is in a low risk flood zone (flood zone 1). The property is not listed.

### **4 PLANNING HISTORY**

- 4.1 None.

### **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), Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **6 National Policies**

- 6.1 **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:

Paragraphs 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.

Paragraph 193 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

#### **6.2 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 and Type of Dwellings  
Policy H5 - Managing the existing Housing Stock  
Policy S10 - Sustainable Development Principles  
Policy BN5 - The Historic Environment and Landscape

### 6.3 **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 - New development

H30 - Multi occupation within a single dwelling

E26 - Development in Conservation Areas

### 6.4 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Boot and Shoe Quarter Conservation Area Appraisal 2011

### 6.5 Houses in Multiple Occupation (HIMO) Supplementary Planning Document (November 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

## 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **Councillor D Stone** - call in and object to on grounds of over-development and not meeting the needs of the area for balanced community and community cohesion.

7.2 **Highways (NCC)** – no comments received.

7.3 **Private Sector Housing (NBC)** - the property is suitable for the 4 people in 4 households.

7.4 **Conservation (NBC)** - No objection on conservation ground.

7.5 **Town Centre Conservation Area Advisory Committee** – noted that the proposal would put pressure on parking in the area and that little space has been allocated for bin storage. Felt the communal living space in the basement may fail to meet the requirements for light and ventilation as set out in the Landlords Guide to Amenities and Facilities for houses on multiple occupation (2018) and would result in poor amenity for residents. In addition, the loss of family home an over concentration of HIMO can lead to a transient population rather than a balanced diverse community.

7.6 **One third party objection** - in relation to noise and parking.

## 8 **APPRAISAL**

- 8.1 The conversion of the existing dwelling to a 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

#### **Area concentration**

- 8.2 NBC records evidence that there are 5 other HIMOs (out of 85 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 7% concentration and would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

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

- 8.3 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. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. In addition, Private Sector Housing was consulted and found the property is suitable for four occupants.

#### **Flood Risk**

- 8.4 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

#### **Highways / Parking**

- 8.5 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.
- 8.6 No parking beat survey was submitted with the application. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 30 minutes. The site is also located within 102m of the nearest bus stop on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019). Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. There is sufficient space to the rear of the property for cycle storage. A condition is to be recommended to agree the details of cycle storage for the property to ensure it is of an appropriate size and design. The proposal is, therefore, in compliance with this principle of the SPD. The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 2 additional parking spaces than the lawful use, as a two-bed dwelling would normally require 2 parking spaces.
- 8.7 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed

occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

- 8.8 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that a refusal on highway grounds could be upheld at appeal.

### **Refuse storage**

- 8.9 There is sufficient space to the rear of the property for bin storage. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.

### **Amenity**

- 8.10 The proposed use falls within Use Class C4, which in effect categorises this as a residential use here is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

### **Heritage Assets**

- 8.11 The application property is located in the Boot and Shoe Quarter Conservation Area and, therefore, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, with great weight given the conservation of the heritage asset.
- 8.12 In this instance, the proposal involves no external alterations to the property. As such and given that the Conservation Officer has no objection to the application on heritage impact grounds, it is considered that the proposal would not impact on the character or appearance of the Conservation Area.

## **9 CONCLUSION**

- 9.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect upon the character of the local area, street scene, or Conservation Area nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is also of sufficient size to accommodate the level of accommodation as proposed.
- 9.2 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, 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.
- 9.3 The proposed development is recommended for approval subject to the following conditions.

## **10 CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Proposed Floor Plan.

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

- 2 Full details of facilities for the storage of refuse and materials to be recycled 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 within two months of the date of the permission hereby granted 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.

- 3 Full details of facilities for the secure and covered parking of 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 within two months of the date of the permission hereby granted 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.

- 4 The development hereby permitted shall be occupied by a maximum of four 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

## **11 BACKGROUND PAPERS**

- 11.1 N/2020/0589.

## **12 LEGAL IMPLICATIONS**

- 12.1 The development is not CIL liable.

## **13 SUMMARY AND LINKS TO CORPORATE PLAN**

- 13.1 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: **18 Talbot Road**

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Date: 17-07-2020

Scale: 1:800

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