



PLANNING & BUILDING SERVICES

Down Ampney, Well Hill, Clint Green, Yaxham, Dereham, Norfolk NR19 1RX

Planning Dept
North Northamptonshire Council
Swanspool House
Doddington Road
Wellingborough
Northamptonshire
NN8 1BP

July 2021

Dear Sirs

PROPOSAL: Change of Use C4 6 persons HMO to Sui Generis 7 persons HMO

LOCATION: 42 Kestrel Lane Wellingborough Northamptonshire NN8 4UD

Planning policy background

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

No article 4 directions removing Class L Part 3 Schedule 2 permitted development rights apply and the application site benefits from C4 approval under Class L

Section 11 of the NPPF seeks to make effective use of land and states that planning decisions should promote and support development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, cars parks, lock-ups and railway infrastructure).

Paragraph 59 of the NPPF states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal's existing layout would make good use of the space and create a form of lower cost housing which will meet a particular need, thereby making a small but positive contribution to the number of households and mix of housing. Room standards accord with local policy and licencing requirements.

Site Description

This application relates to a two-storey, use Class C3 dwelling located within a primarily residential road within the urban area of Wellingborough. The house does not have any previous planning history. The location is fully sustainable.

The Proposal

The application relates to the change of use of an existing dwelling that benefits from 6 person C4 approval by virtue of article 3(1) of the 2015 GPDO as amended for change of use to an 7-person House in Multiple Occupation (HMO)

This is effect is an application for 1 additional person.

The proposed change of use would merely replace one form of residential accommodation with another, in an area identified as a prime focus for development. As such there is no objection to the proposal in principle.

Assessment and material Considerations

Given that there are no external alterations to consider, there would be no impact upon the character and appearance of the building or the surrounding area.

The amenities and facilities afforded to the occupants will be in strict accordance of the licensing authority. The licence No HM/2019/0007 for up to 8 persons is attached.

The level of traffic movements to and from the site as a result of this proposal would be of no more detriment to the amenity of local residents than the current situation of a 6 person C4 HMO; and the proposal is not of a scale that would not have a detrimental impact on the capacity of the local road network. It is generally accepted that occupants of HMOs have a lower car ownership level than other householders (it is often assumed that only a third of occupants will have a car) furthermore, the site is in a highly sustainable location within walking distance of a Local Centre and close to regular bus services.

On this basis the proposal would not result in an adverse highway safety issue. In addition, whilst the possible increase in demand for parking spaces in the area could mean that future or existing users may not be able to park close to their properties, such inconvenience is not grounds for objection.

It is suggested that the increase of 1 additional person to this existing 6 person C4 HMO cannot be said to be material. They do not substantially or fundamentally affect the nature or character of the HMO use such that a material change of use could be said to arise. They do not give rise to any significant external impacts on neighbours or the

character or appearance of the area. They do not create living conditions that are so deficient or bad such that occupiers' facilities are severely degraded or overcrowded. If that was the case it is unlikely that an HMO License for 8 persons would have been granted by the Council. Consequentially, these changes do not significantly alter the overall character of the HMO use.

Similarly, the existing refuse collection and storage will not significantly increase to create any detrimental impact.

APP/D1590/W/20/3244314 appeal allowed and gives pertinent background.
APP/D1780/X/19/3241496 appeal allowed although and LDC, gives pertinent background.

IN CONCLUSION.

Given what can be carried out under the GPDO Schedule 2 Part 3 Class L C4 permission ie use as a 6 person HMO, the impact of one additional person is marginal and not material.

It is therefore considered that permission should be granted. This view is consistent with local applications approved by this planning authority and many recent appeal decisions.

Yours Faithfully,



Colin J Smith

Attachments

HO Licence HM/2019/0007 for up to 8 persons

Agent Floor plans for C4 HMO (note : existing 7th bedroom shown)

Location Plan

APP/D1590/W/20/3244314 6 to 10 person HMO allowed and gives pertinent background.

APP/D1780/X/19/3241496 appeal allowed although and LDC, gives pertinent background.