

**HOUSES IN MULTIPLE OCCUPATION:
INTERIM PLANNING POLICY STATEMENT**

CONSULTATION STATEMENT

Planning Policy Team
Northampton Borough Council
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**NORTHAMPTON
BOROUGH COUNCIL**

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1. INTRODUCTION

1.1 Northampton Borough Council has prepared a “Houses in Multiple Occupation Interim Planning Policy Statement” (IPPS) to amplify policies contained in the West Northamptonshire Joint Core Strategy (submitted 2012, modified January 2014, Inspector’s report October 2014) and the 1997 Northampton adopted Local Plan.

1.2 This document:

- Provides planning applicants, landlords and property owners with a clear understanding of the development management process associated with a change of use from a dwelling house to a house in multiple occupation. This includes advice on when a planning application is required, where a Permitted Development Right applies (meaning planning permission is not required) and where an Article 4 Direction is relevant, (which removes the Permitted Development Rights, and therefore requires planning permission). Details are also provided as to how people can access information through the website.
- Outlines the key requirements to be considered when intending to change the use of a property from a dwelling house to a house in multiple occupation, including whether the appropriate level of facilities and amenity space have been provided.

2. PURPOSE OF THE CONSULTATION STATEMENT

2.1 Although not a formal Supplementary Planning Document, the preparation of this Consultation Statement conforms to Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It sets out the details of which the Council consulted in assisting with the preparation of the statement, how these were consulted upon, what key issues were raised and how they have been addressed in the IPPS.

2.2 The purpose of this consultation statement is twofold:

- To comply with Regulations 12 and 13 of the Act. This includes a public consultation exercise undertaken between the 7th August and 2nd October 2014 and
- To demonstrate that a comprehensive consultation exercise has been undertaken in compliance with Northampton’s Statement of Community Involvement (SCI, March 2006)

3. CONSULTATION PROCESS

i Early Engagement

3.1 This Consultation Statement demonstrates how the Council resolved to actively engage key representatives from within the Council as well as external organisations, and the public, in formulating and progressing the principles for the IPPS.

3.2 In the early stages of preparing the IPPS, the Council held meetings, and/or undertook discussions with Officers from Development Management, Heritage and Conservation, Enforcement and Private Sector Housing teams. Legal advice from Northamptonshire County Council was sought prior to releasing the document for consultation. In addition, informal discussions were held with other local planning authorities who have prepared similar documents, to help inform the evidence base and methodology used.

3.3 Planning Policy sought the views of the Council's representative on Equalities to ensure that the Guide contained principles which were legally compliant. In undertaking a Community Impact Assessment, areas such as eliminating discrimination, improving equality of opportunity and accessibility and fostering good relations, were assessed.

3.4 Policy Officers prepared a working draft, utilising the information obtained from early consultation, as well as existing research material and evidence base which was used to inform the methodology. This paper was intended to be used for discussion, to assist with identifying the formulation of policy objectives and key principles. In preparing the working draft, Officers continued to engage with those initially approached.

3.5 The key considerations emerging from these early discussions were:

- With the increasing demand for HiMOs, evidenced through planning applications submitted in the past year and the fact that the University is moving into the town centre, there is a need to ensure that demand can be met, but not at the expense of the character of the area, particularly areas where there is already a high concentration of HiMOs and Conservation Areas. A balanced approach is required
- The need to ensure that key requirements for floorspace and amenities are met, to provide people with an acceptable living standard
- Health and safety issues should be appropriately addressed
- Providing an appropriate methodology, which demonstrated that due regard was given to assessing how thresholds and buffers could be applied, and had understanding of the character of wards in the Borough. However, it was acknowledged that establishing the right threshold and buffer incorporates some local subjectivity. Understanding how the character of an area is impacted affected is

equally subjective. Each individual planning application will still need to be considered on its merits

- Some elements of flexibility will need to be applied to the principles, especially Principle 1, which recommends a threshold and buffer approach

ii Consultation Draft

3.6 The relevant comments obtained from these communications were incorporated into the consultation draft which was circulated to the Steering Group prior to its release for formal consultation.

3.7 Observations on the consultation draft suggested that a 15% threshold would both meet the expectant demand without unduly compromising the character and amenity of an area. There were also subsequent changes to the principle associated with parking which needed to be clarified and simplified. The information relating to conservation areas, article 4 directions and licencing also needed to be improved / referenced.

3.8 The consultation draft was released for formal consultation between the 7th August and 2nd October 2014, to accord with Regulations 12 and 13 of the Planning Act.

3.7 For the consultation process to be effective, the Council prepared the following:

a. Advert Notice

3.9 The Council released a public notice in the Northampton Herald & Post (see Appendix 1). This notice explained what the IPPS aimed to achieve and how people could make their representations, and by when.

b. Publicity

3.10 The Council wrote to a wide range of people and organisations including:

- The Local Press to inform them about the purpose of the document and the period of consultation
- European and Local Members of Parliament and Councillors
- Partner organisations and local authorities (including Northamptonshire County Council and Milton Keynes Council)
- Parish Councils and Residents Associations

- Relevant consultees registered on the Local Plan database, including statutory consultees (such as English Heritage, Homes and Communities Agency, Environment Agency, Highways Agency, Anglian Water and Natural England)
- Registered landlords / rental agencies as recommended by Private Sector Housing as well as Housing Associations, Housing Trusts and the Northampton Student Landlord Network
- Charity and voluntary organisations

3.11 In undertaking this consultation exercise, the following documents were made available on the Council's website (Appendix 1):

- The draft Houses in Multiple Occupation Interim Planning Policy Statement
- The draft Community Impact Assessment
- The representation form (available on Survey Monkey, the Council's corporate consultation form for online responses as well as on the website as a PDF, suitable for downloading)

3.12 The above documents were also made available at the:

- Council's One Stop Shop at the Guildhall
- Northampton libraries

3.13 In addition, a report was presented to Planning Committee on the 30th September, informing Members about the Interim Planning Policy Statement, its objectives and its principles.

4. PUBLIC PARTICIPATION CONSULTATION RESPONSES

4.1 Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 require that representations on Supplementary Planning Documents (SPD) should be for a period of not less than 4 weeks. Although this is not a Supplementary Planning Document, it still provides interim planning principles and requirements which amplify existing and emerging policies. It is considered that such principles should be released for consultation, and follows the same approach and process as an SPD.

4.2 The current Statement of Community Involvement for Northampton (SCI), adopted in March 2006, states that draft SPDs will be subject to a 6 week consultation period. This consultation exercise is for a period of 8

weeks and extends the requirements of both the Regulations and the Council's SCI. This extended consultation period was primarily attributed to the summer and public holidays, therefore allowing people more time to comment.

4.3 In total, 6 representations were received on this IPPS. A summary of the representations and Officers' responses can be found in Appendix 3 of this Consultation Statement. Generally, there was support for the document and no objections were received with regards to the objectives for drafting the IPPS. In summary, key comments were made in relation to:

- Concern as to the effectiveness of a principle associated with storage and refuse
- Request for further design guidance for HiMOs in conservation areas
- Request for further details to be provided in flood zones

4.5 One representation was made to the Community Impact Assessment. This relates to the consultees, and recommendations were given on additional people who should be consulted. It should be noted that since the Council undertook a publicity exercise, including putting the document on its website and publishing an advert notice, no one is excluded from submitting a response.

5. THE NEXT STAGE

5.1 All responses received were assessed and, where relevant, incorporated into the adopted Interim Planning Policy Statement (IPPS). A summary of the responses and policy comments are provided in Appendix 1.

5.2 The Houses in Multiple Occupation IPPS and this Consultation Statement were approved for adoption at the Council's Cabinet on the 12th November 2014.

APPENDIX 1

NORTHAMPTON BOROUGH COUNCIL

NOTICE OF PUBLICATION PERIOD FOR THE HOUSES IN MULTIPLE OCCUPATION INTERIM PLANNING POLICY STATEMENT AND THE COMMUNITY IMPACT ASSESSMENT

Planning and Compulsory Purchase Act 2004
Town and Country Planning (Local Development) (England) Regulations 2012

The Council has published a Draft Houses in Multiple Occupation Interim Planning Policy Statement (IPPS), in accordance with Regulations 12 and 13 of the Regulations. The draft IPPS amplifies policies contained in the West Northamptonshire Joint Core Strategy (submitted 2012, modified 2014) and the saved policies contained in the adopted Northampton Local Plan 1997. It provides information and guidance for landlords and property owners on the process associated with seeking planning approval for change of use from dwellinghouses to houses in multiple occupation, as well as the Council's recommendations in terms of quantity, facilities and impacts on character and amenity.

These draft consultation documents (comprising the IPPS and the Community Impact Assessment) are available for inspection during normal office opening hours at the Council's One Stop Shop, The Guildhall, St Giles Square, Northampton, NN1 1DE. The documents are also available to view within opening hours at all libraries in the Borough (Central Library (Abington Street), Abington, Duston, Far Cotton, Hunsbury, Kingsthorpe, St James, Weston Favell and Wootton Fields).

The full documentation can be downloaded from www.northampton.gov.uk/himo, or requests for copies can be made to the Planning Policy Team on 01604 837 279 or email planningpolicy@northampton.gov.uk.

Representations are invited during the consultation period which runs from Thursday 7th August 2014 and **closes at 5pm Thursday 2nd October 2014**. Representations may be accompanied by a request to be notified of the adoption of the IPPS. If making such a request, please specify the address for this purpose. Representations can be sent in the following ways:

- Via the Council's website on www.northampton.gov.uk/himo, or
- In writing to: Mr Paul Lewin, Planning Policy & Heritage Manager, Planning Policy, Northampton Borough Council, Guildhall, St Giles Square, Northampton, NN1 1DE, or
- By email to planningpolicy@northampton.gov.uk, or
- By fax to 01604 837 527.

**All representations must be received by:
Thursday at 17:00 (5pm) on the 2nd October 2014.**

APPENDIX 2:

EXTRACTS FROM NORTHAMPTON BOROUGH COUNCIL WEBSITE

Council consults on planning policy for HMOs

Published Thursday, 07 August 2014

An eight-week consultation on determining planning applications for Houses in Multiple Occupation (HMOs) in Northampton begins today (7 August).

Northampton Borough Council has drafted an Interim Planning Policy Statement which outlines the processes the council intends to follow in considering planning applications relating to the change of use of a family home to a shared HMO dwelling.

The draft statement provides guidance for landlords and property owners who might be considering submitting an application and recommendations relating to facilities. In addition, a separate report, called a Community Impact Assessment, sets out how the council plans to consider impacts associated with the quantity of HMOs within an area to help it determine if HMOs are likely to be regarded as acceptable.

Councillor Mary Markham, Northampton Borough Council cabinet member for housing, said: "HMOs provide much needed affordable housing, but it is important that they are properly managed. Also too many in one area can have a negative impact on local communities.

"Controlling the number of properties becoming HMOs is needed to limit the impact on other residents. Increased noise, extra rubbish and issues with parking are just some of the problems that can arise if there are too many HMOs. I hope the approach we are proposing will help us deal more effectively with the issue and I am keen to hear what people think."

Councillor Tim Hadland, cabinet member responsible for planning, said: "This Interim Planning Policy Statement will set out clear and up-to-date guidelines for the council to make planning decisions on the impact new HMOs will have on an area."

People have until 2 October to comment on the draft documents. Copies are available online www.northampton.gov.uk/himo, at the council's One Stop Shop at the Guildhall and at all libraries across the town. Alternatively you can request copies by calling the planning policy team on (01604) 837279 or email planningpolicy@northampton.gov.uk.

All representations made during the consultation will be reported to the council's cabinet later in the year when it meets to discuss whether or not to adopt the policy.

APPENDIX 3

SUMMARY OF REPRESENTATIONS RECEIVED IN RESPONSE TO THE HOUSES IN MULTIPLE OCCUPATION INTERIM PLANNING POLICY STATEMENT

Consultation date: 7th August – 2nd October 2014

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
WNJCS:	West Northamptonshire Joint Core Strategy
CAAP:	Central Area Action Plan (Northampton)
HiMO:	Houses in Multiple Occupation
PDR:	Permitted Development Rights
PD:	Permitted Development

REF	RESPONDENT	SUMMARY OF RESPONSES	OFFICER RESPONSE
001	Natural England	No comment.	Noted.
002	NBC Heritage	Para 2.1: Conservation Area Appraisals should be given equal consideration to the NPPF, CAAP and interim policy.	The documents referenced in this paragraph are documents which are covered by the Town and Country Planning (Local Planning) (England) Regulations 2012. Reference is made to the need to consider other documents (including Conservation Area Appraisals) when proposing a HiMO.
		Para 2.1.1: last bullet point should be Policy 10 of the CAAP.	Noted and amended.
		Para 2.4.3: PDR not PRD.	Noted and amended.
		Para 2.4.5: some Article 4 Directions remove PD rights for alterations to the properties when relating to conservation matters.	Noted. Para 2.4.2 to be amended accordingly.
		Para 2.6: Article 4 Directions have been imposed directly relating to Conservation Areas. Each one is tailored to the specific conservation area and may cover slightly different elements of change.	Noted. This detail will be addressed at planning application stage.
		Para 4.1: emphasizes the need to refer to "other policy documents".	This section relates to the justification for preparing a HiMO Interim Statement. It relates to the key policies which direct the principles set out in the Interim Statement. Only policies which have been through the processes provided in the Town and

			Country Planning (Local Planning) (England) Regulations 2012 are relevant.
		References: include Conservation Area Appraisals.	Noted and added. Web link to Conservation Area Appraisals provided.
		Planning Policy Direction: refer to Conservation Area Appraisals.	This section relates to adopted policies by virtue of the Town and Country Planning (Local Planning) (England) Regulations 2012 only. These policies provide the legal policy direction for amplifying detailed principles.
		Para 2.6.1: suggested wording “ <i>There are currently 21 Conservation Areas within Northampton, some of which are also subject to HiMO Article 4 Directions. This means that planning permission is required for a change of use from a single dwelling to a HiMO, including any material changes to be exterior of the building.</i> ”	Noted and amended.
		Principle 1, page 21: all existing HiMOs need to be identified in order to calculate the 15%	A monitoring database will be set up, with assistance from Private Sector Housing and Council Tax to establish where the existing HiMOs are.
		Principle 3, page 25: is there a map showing where the bus stops are.	Further information has been provided to inform how details of bus stops etc can be obtained / accessed.
003	Mr S Williams	Agree with Principle 1.	Noted and welcomed
	Private Landlord	Agree with Principle 2.	Noted and welcomed
		Agree with Principle 3.	Noted and welcomed
		Do not agree with Principle 4 because the issue of storage is undefined. If people cannot store their goods on their property, it is their problem. If this becomes a problem for other residents, there are powers the Council can use to have this rectified. Parking is an important factor but where my property is situated, it has never been a problem.	The purpose of Principle 4 is to ensure that landlords will include storage when considering changing the use of their premises from dwelling houses to HiMOs. In securing this provision, environmental issues can be properly managed from the beginning rather than reacting to a problem when it occurs. Parking comment noted.
		IPPS limiting. As a landlord in St James, I won't be able to rent to more than 2 people when the scheme commences. 3 people can live in the property safely. My property is 10 minutes' walk from town so no need	The IPPS does not seek to limit the number of occupants within a property. Rather, it seeks to ensure that the provision of HiMO properties within a certain radius is

		for vehicles. 3 people do not generate much waste. IPPS is unfair as a family of more than 3 would be much worse when considered against the principles set out in the document.	managed and the character of the street/area is protected.
		There are laws in place which cover safety of rental property. Another layer of regulation is unacceptable especially for standard 2/3/4 bed houses.	The purpose of this document is to ensure that the accumulation of HiMO properties does not result in an adverse impact on the character of an area and streetscene. It also seeks to ensure that the right provisions are in place so that the welfare of the occupants and their neighbours are protected.
004	Cllr D Stone	Agree with Principle 1.	Noted and welcomed
		Agree with Principle 2.	Noted and welcomed
		Agree with Principle 3.	Noted and welcomed
		Agree with Principle 4.	Noted and welcomed
		Another principle should be the maintenance of cohesive communities where family life is valued and protected.	Para 50 of the National Planning Policy Framework seeks to deliver a wide range of homes and create sustainable, inclusive and mixed communities. A separate principle on this is not therefore considered necessary as it repeats national and strategic policy direction.
		To agree a higher degree of HiMOs, we first need a map of where the existing HiMOs are and then a map showing where the pressures for more HiMOs might be.	Noted and accepted. This information is currently available. However, a project is underway to provide a comprehensive database so that the situation can be monitored.
		Community Impact Assessment: Community should include agencies such as schools and doctors surgeries and these agencies should be consulted.	In addition to the relevant consultees on the Local Plan database, the Council released an advert notice which invited everyone to comment.
005	Town Centre Area Advisory Committee (TCAAC)	Para 2.1.1: Policy 1 of the CAAP also seeks to secure the protection of the historic environment, which should be referred to here.	Noted and added.
		Section 3.2: problems associated with high levels of student occupancy also include term time occupation and conversely, deserted areas during university holidays.	Noted and added.
		Principle 1: Agrees that maintaining the character of the town centre	Each application will be considered on its merits and

		conservation areas and reducing potential harm to their significance is best achieved by a diverse population. Needs greater consideration about how the policy is to be managed within conservation areas.	with due regard to existing adopted policies, and the principles in this IPPS, which will include consideration towards heritage assets (designated and non-designated).
		Principle 1: agree with restricting the percentage of HiMOs within a given radius of an application site.	Noted and welcomed.
		Principle 1: need a map showing all HiMOs in protected areas.	A map and accompanying database showing all known existing HiMOs in Northampton will be made available.
		Principle 1: unclear what is meant by “not result in more than 15% of the total number of HiMO dwellings within a 50m radius of the application site”.	This threshold is one of several considerations for determining a planning application. This element of Principle 1 seeks to limit HiMOs to no more than 15% within a 50m radius of the application site. If an application is submitted, and there is already 15% HiMO within the 50m radius, then the application can be refused, other elements of Principle 1 and the remaining principles in this IPPS should also be taken into account.
		Para 4.2.3: include consideration of Conservation Area Assessments.	New para 2.1.2 added to address this requirement.
		Para 4.2.3: there may be a case for restricting HiMOs to certain parts of conservation areas. Urge the Council to undertake an assessment asap and include recommendations on the location and proportion of HiMOs within the conservation areas.	This would propose undue restrictions which are likely to be deemed inflexible and unreasonable. Each application should be considered on its merits and in conjunction with key documents taking into account both the IPPS and Conservation Area Appraisals.
		Principle 2: Support. Need to indicate how increased flood risk is to be measured / monitored.	Support noted and welcomed. Flood risks will be monitored through the planning application process, which will require the applicant to consider flooding issues. Maps are also available, including those through the Environment Agency website, confirming where areas are at

			risks are and the level of such risk.
		<p>Principle 3: Agree.</p> <p>Need to ensure that parking provision does not have any adverse impacts on a conservation area. External cycle storage should not adversely affect the setting of a conservation area or listed building.</p>	<p>Noted and welcomed.</p> <p>There are various policies already in place to direct decision making on issues affecting conservation areas. In addition, the IPPS refers to the Conservation Area Appraisals as one of the documents to consider, web links are also provided.</p>
		<p>Principle 3: Need to be stricter on sustainable options for proposals where there is limited or no parking. Recommend that the principle is paraphrased to say:</p> <p>Proposals with limited or no parking must be EITHER</p> <ul style="list-style-type: none"> • within walking distance of the town centre, OR • within 400m of a bus stop with a minimum level of service to the town centre (eg half hourly buses to Northampton town centre between the hours of 08:00 and 19:00), AND be within walking distance of a district centre, local centre or neighbourhood parade 	<p>The purpose of this principle is, inter alia, to reduce reliance on the private car. Its proximity to a bus stop is not related just to the town centre, rather, it relates to people's ability to travel anywhere by bus as an option.</p> <p>No change.</p>
		<p>Principle 4: Agree.</p> <p>Refuse storage should be designed so that it does not adversely affect the setting of a conservation area or listed building.</p>	<p>Noted and welcomed.</p>
		<p>Over development can have a range of adverse effects on conservation areas. Consider in the IPPS how to address negative impacts, through, for example, policing measures, environmental management and liaison with the university, shared housing landlords and local residents/businesses.</p>	<p>It is not the role of the IPPS to monitor impact. Rather, planning policies affecting conservation areas will be monitored as part of the local plan policy monitoring process. Various services of the Authority, including external contractors such as Enterprise, will share the responsibility for monitoring and managing the impact of development, including HiMOs.</p>
		<p>Monitoring: should monitor impacts</p>	<p>It is not the role of the IPPS to monitor impact. Rather,</p>

			<p>planning policies affecting conservation areas will be monitored as part of the local plan policy monitoring process. Various services of the Authority, including external contractors such as Enterprise, will share the responsibility of monitoring and managing the impact of development, including HiMOs.</p>
		<p>Should include an appendix setting out some design criteria for HiMO, which would be relevant in conservation areas. Include advice on matters of detail, such as provision of refuse disposal and their location.</p>	<p>The document “Good Practice Guide for Landlords: Facilities and Amenities December 2013” provides guidance on layouts and some elements of design. In determining planning applications, consideration will be given to a range of documents including this IPPS, the “Good Practice” guidance, existing national and local policies, and conservation area appraisals will similarly be taken into account, there is no need to replicate that level of detail in the Statement. In undertaking the preparation of the Local Plan (Part 2), further consideration could be provided if required.</p>
006	Environment Agency	<p>Principle 2: support the aims to avoid an increase in flood risk and from surface water drainage.</p>	<p>Supported noted and welcomed.</p>
		<p>Consider the exclusion of basement sleeping accommodation and ground floor sleeping accommodation in certain locations.</p> <p>National guidelines state that basement dwellings are not compatible with Flood Zone 3 and should not be permitted.</p> <p>In Flood Zone 2, conversion to basement flats must show that it will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood overall.</p> <p>Areas of high flood risk, EA would not support proposals for any ground floor accommodation.</p>	<p>The National Planning Policy Guidance provides sufficient information and direction on the acceptability of basement accommodation. It is not considered necessary to repeat this guidance in the interim document.</p> <p>However, the document will be strengthened to include reference to the NPPG.</p>

		<p><i>Include: Northampton currently has flood defences that provide one of the highest levels of protection against river flooding in the country. The design standard for the Upper Nene catchment (that is through Northampton and within the Nene catchment upstream of Northampton) is the 0.5% probability (1 in 200 chance of occurring in any year) event plus climate change. This standard is applied across the whole of the Upper Nene catchment.</i></p>	<p>Noted and amended as indicated.</p>
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