

HOUSES IN MULTIPLE OCCUPATION (HiMOs)

ADOPTED INTERIM PLANNING POLICY STATEMENT

**Planning Policy and Heritage
November 2014**



**NORTHAMPTON
BOROUGH COUNCIL**

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1 INTRODUCTION

1.1 INTRODUCTION

1.1.1 Northampton Borough Council is preparing an Interim Planning Policy Statement (IPPS), to aid property owners, planning applicants and Development Management Officers in preparing and determining planning applications in relation to Houses In Multiple Occupation (HiMOs).

1.1.2 Northampton is a growing town, both in population terms as well as through active regeneration programmes and inward investment. The University of Northampton is relocating to the Avon Nunn Mills site in the town centre, and demand for student HiMOs is highly likely to increase in the future. It is recognised that HiMOs will play a key role in providing accommodation for students, but they also provide homes for migrant workers, those on lower income and those who are not in a position to own or have no immediate desire to purchase a home.

1.1.3 There are property owners who may wish to contribute towards meeting this demand. The Council has saved planning policies in place to guide prospective owners on the Council's policy approach towards houses in multiple occupation. It has produced guidelines, outlining requirements in relation to space and amenities. The guiding principles outlined in this document will provide details as to what the Council will consider when determining planning applications relating to a HiMO, to ensure proposals are of a high standard and would not lead to any unacceptable impact on neighbouring amenity or other interest of acknowledged importance.

1.1.4 These principles are applicable to all premises within the administrative boundary of Northampton Borough. Property owners who wish to use their premises for HiMO purposes under Permitted Development Rights (where no planning approval is required) are also strongly recommended to take these principles into account.

1.2 AIMS OF THE INTERIM PLANNING POLICY STATEMENT (IPPS)

1.2.1 The aims of the IPPS are:

1. To clarify to landlords and property owners whether a planning permission is required for the following:
 - for a change of use from a dwellinghouse to a house in multiple occupation or
 - Permitted Development Rights apply (and planning permission is not required) or

- an Article 4 Direction applies (Permitted Development Rights have been removed and planning permission is required)
2. To inform those who intend to convert / use their existing properties for multiple occupation about the Council's requirements and standards for houses in multiple occupation

1.2.2 This IPPS amplifies both the existing adopted policy contained in the current Northampton Local Plan as well as the emerging policy contained in the West Northamptonshire Joint Core Strategy (JCS). It therefore becomes a material consideration when determining planning applications, the process of which is discussed below.

1.3 DEVELOPMENT MANAGEMENT PROCESS

1.3.1 Prior to submitting any proposals or planning applications, landlords and property owners are advised to contact relevant organisations to discuss the contents of their proposal (see Appendix 3). They are also strongly recommended to view all relevant supporting documents and websites, the contents of which may influence the decision making process as well as inform where Permitted Development Rights have been removed by virtue of Article 4 Directions.

1.3.2 This will also ensure that proposals and plans will contain the relevant information and requirements necessary for determining any future planning applications for HiMO's.

1.3.3 Even where planning permission is not required, landlords and property owners are strongly recommended to contact the Council in respect of building control and health & safety requirements and guidelines.

1.3.4 Before submitting a planning application or undertaking any works, please view the planning page of the borough council's website for further information: http://www.northampton.gov.uk/info/200206/planning_applications/1793/do_i_need_planning_permission

2 PLANNING POLICY CONTEXT

2.1 PLANNING POLICY CONTEXT

2.1.1 The preparation of this IPPS is influenced by national, strategic and local policies, summarised below:

- Para 50 of the National Planning Policy Framework (March 2012) seeks to deliver a wide range of homes, to include variations in size, types and tenures. The principles contained in this SPD, especially Principle 1, will contribute towards the delivery of this requirement, and subsequently create sustainable, inclusive and mixed communities as stated in the NPPF
- Policy H6 of the West Northamptonshire Joint Core Strategy (submitted December 2012, modified January 2014, Inspector's Report October 2014) states that HiMOs will be permissible if they do not adversely affect the character and amenity of the area. This policy carries significant weight because it received few representations. The unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. No further modifications were proposed by the Inspector's report in respect of this Policy.
- Saved Policy H30 of the adopted Northampton Local Plan (June 1997) allows HiMOs providing issues such as parking and overconcentration are addressed
- Policy 1 of the CAAP seeks to secure a high standard of design, as well as secure the protection of the historic environment
- Policy 10 of the Central Area Action Plan provides information on car and cycle parking requirements for houses in multiple occupation

2.1.2 Further details of the above policies are provided in Appendix 1. In addition to the above, property owners, landlords and applicants should note that there are other documents which they need to be taken into account in informing any future HiMO proposals, including Conservation Area Appraisals and Management Plans.

2.2 DEFINITION OF HOUSES IN MULTIPLE OCCUPATION

2.2.1 Bedsits and shared houses that are legally permissible are known collectively as Houses in Multiple Occupation (HiMOs). The exact definition of HiMOs can be found in Part 2 of the 2004 Housing Act. A summary is provided in Appendix 2.

2.2.2 In summary, a building or part of a building occupied by 3 unrelated people or more can be classified as a HiMO if it satisfies one of the tests below:

- **Standard test:** the building or part of the building must consist of one or more units of living accommodation that is not a self-contained flat or flats. The living accommodation must be occupied by more than one household who share one or more of the basic amenities (toilet, washing facilities and cooking facilities) or the accommodation is lacking in one or more of these amenities
- **Self - contained flat test:** similar to the standard test but is applicable to a self - contained flat rather than a building or part of a building
- **Converted building test:** this relates to converted buildings containing one or more units of living accommodation which are not self - contained flats. It would have living accommodation occupied by 3 or more persons who do not form a single household

2.2.3 A dwellinghouse therefore becomes a HiMO if it is occupied by 3 or more unrelated households.

2.3 THE USE CLASSES ORDER

2.3.1 The Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) provide details of the relevant Use Classes Order applicable to dwellinghouses and Houses in Multiple Occupation (HiMOs). It also provides information on when planning permission is required and when a Permitted Development Right applies (meaning planning permission is not required).

2.3.2 The Use Classes Order which are applicable to HiMOs are:

Use Class	Description	Legal Position
C3 (Dwelling houses)	Use as a dwelling house (whether or not by a main resident) by: <ul style="list-style-type: none"> • a single person or by people to be regarded as forming a single household • not more than 6 residents living together as a single household where care is provided for residents or • not more than six residents living 	Permitted change of use from dwelling houses to C4 (HiMOs)

	together as a single household where no care is provided to residents (other than use within Class C4)	
C4 (Houses in Multiple Occupation):	Use of a dwelling house by 3 – 6 residents as a “house in Multiple occupation”	Permitted change of use to C3 (dwelling house)
Sui Generis (uses which do not fall within the specified use classes)	Includes large Houses in Multiple Occupation (more than 6 people sharing)	No permitted change of use. Planning permission is required.

2.3.3 A change to the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO), which came into force in April 2010, introduced a new Use Class C4 (HiMO) which in essence covers small shared dwelling houses occupied by up to 6 unrelated individuals who share basic amenities.

2.3.4 A subsequent change to the General Permitted Development Order (GPDO) in October 2010 has resulted in change of use from C3 (a dwelling house) to C4 (a HiMO of no more than 6 occupants), not requiring planning permission.

2.3.5 In summary:

- Planning permission **is not required** to change the use of a dwelling house (C3) to a small HiMO (C4) of 3 – 6 unrelated residents. These are known as Permitted Development Rights
- Planning permission **is required** to change the use of a dwelling house (C3) to a large HiMO accommodated by more than 6 unrelated people

2.4 ARTICLE 4 DIRECTION

2.4.1 Some changes to houses in multiple occupation can be made without the need to apply for planning permission. These are termed Permitted Development Rights (PDR).

2.4.2 Article 4 Directions are made when a Local Planning Authority considers that the character of an area will be harmed by the exercise of PDR, for example, in conservation areas. In the case of HiMOs, the threat could come from the change in the character of a street or to a whole area. An Article 4 Direction can therefore be made to enable a degree of control over any proposed changes to an area. However, even in areas where the change of use is Permitted Development, Article 4 Directions may control physical changes to the property.

2.4.3 Where there is evidence of a local need to control the impact of houses in multiple occupation, local planning authorities are able to use legal powers to make an Article 4 Direction to remove PDR and thereby require the submission of a

planning application for a change of use. Article 4 of the General Permitted Development Order provides that the Secretary of State or a local planning authority by direction may, in a specified area, take away all or some of the PDR. An Article 4 Direction removing PDR may be introduced if the Council considers that the change of use from C3 to C4 would be prejudicial to the proper planning of an area or constitute a threat to the local amenities of an area.

2.4.4 Currently, two Article 4 Directions are in force in Northampton which has removed Permitted Development Rights for the change of use from a dwellinghouse to a HiMO. These directions will be reviewed periodically and further revision may be made. It is recommended that applicants view the following link for further information prior to making any changes to their properties:

http://www.northampton.gov.uk/info/200206/planning_applications/1793/do_i_need_planning_permission

or

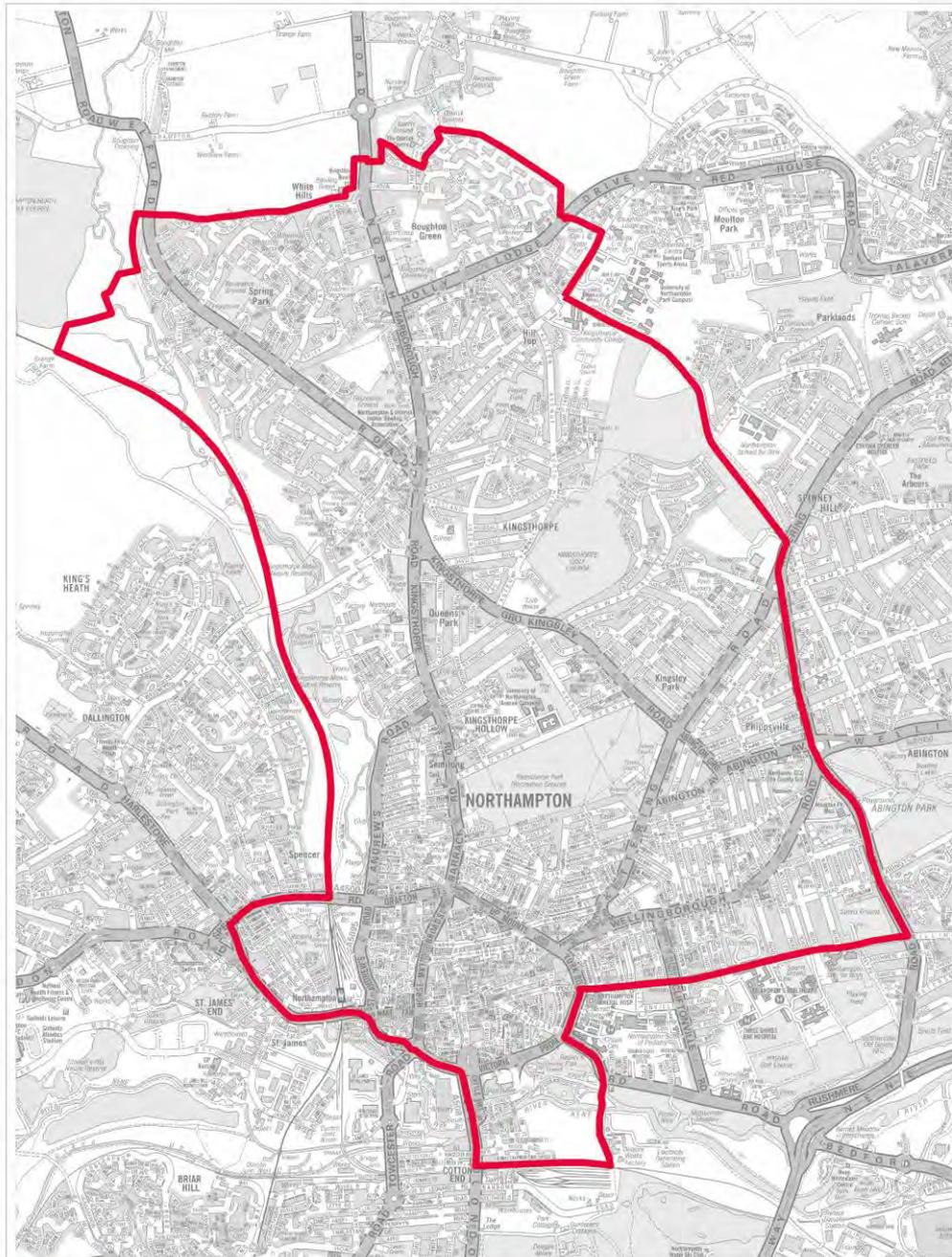
<http://www.northampton.gov.uk/info/200206/planning-applications/986/permitted-development-rights>

2.4.5 The areas which are currently affected by Article 4 Directions can be found overleaf. The web links provided give detailed information about the Article 4 Directions, including pages relating to the Conservation Areas.

2.4.6 It should also be noted that on the 9th April 2014, Cabinet¹ resolved to include the area currently covered by HiMO Article 4 Directions for additional licencing. This means that landlords will be required to declare the existence of HiMOs and that these houses can be quality controlled to secure basic standards, safety and quality for both the occupants and the adjoining residents. A license fee forms part of the process. Cabinet also resolved to give consideration to a future consultation on extending an additional licensing scheme to Far Cotton, as appropriate.

¹ <http://www.northamptonboroughcouncil.com/councillors/ieListDocuments.aspx?CId=528&MIId=7433>

Plan: Boundary of Area currently covered by HiMO Article 4 Directions



Date: 11th June 2014
Scale: NTS
Dept: GIS
Project: Boundary Map

Title **Boundary of Article 4 Direction**

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2.5 LISTED BUILDINGS

2.5.1 Owners and / or tenants of listed properties need to be aware that Listed Building Consent may be required for carrying out works that could affect the character of the building, including:

- Alterations (inside or out) or extensions which, in the opinion of the Council, are likely to affect the appearance or character of a Listed Building
- Alterations or extensions to buildings, objects or structures (including gates and walls) within the curtilage of a Listed Building
- Demolition of a building, object or structure which is listed or within the curtilage of a Listed Building
- Any new structure which will be physically linked to a Listed Building

2.5.2 This applies to all persons interested in using a Listed Building as a HiMO, irrespective of whether it is permitted development or not. Further information can be found by accessing the following link:

http://www.northampton.gov.uk/info/200207/building_conservation_and_trees/1500/listed_building_consent

2.6 CONSERVATION AREAS

2.6.1 There are currently 21 Conservation Areas within Northampton, some of which are also subject to HiMO Article 4 Directions, where planning permission is required for a change of use from a single dwelling to a HiMO, including any material changes to the external of the building. Further information on both conservation areas and Article 4 Directions can be found by accessing the following link:

http://www.northampton.gov.uk/info/200207/building_conservation_and_trees/1442/permission_for_development and

http://www.northampton.gov.uk/info/200206/planning_applications/1793/do_i_need_planning_permission

2.7 BUILDING CONTROL

2.7.1 Prior to using a property for HiMOs, the health and safety of the occupants and adjoining residents need to be secured. Building control regulations aim to secure reasonable living standards. Issues such as fire exits and accessibility need to be properly addressed prior to changing the use of a property from a dwelling house to a HiMO, irrespective of whether planning permission is required or not. Property owners and applicants are strongly advised to contact either the Borough Council's Building Control Section or any independent Building Control body for further advice. The Council's Building Control section can be found by accessing:

http://www.northampton.gov.uk/info/200011/building_control

3 BACKGROUND TO PLANNING FOR HOUSES IN MULTIPLE OCCUPATION (HiMOS)

3.1 NORTHAMPTON'S POSITION

3.1.1 An increasing number of Northampton's residents are now renting their homes from private landlords². This rise is attributed to a range of factors including the growth in the status of the University of Northampton (and student population), the increase in migrant workers and the increase in single person households³. The latter is expected to increase from 44,053 in 2006 to 71,035 by 2026. Also, there is a strong international economic in-migration within Northamptonshire bringing with it skilled workers⁴. Typically, these rented units take the form of bedsits and shared homes, and are therefore popular with younger residents and those with lower incomes.

3.1.2 Northampton is a rapidly growing town, with an expected increase in housing provision of at least 20,000 units in the next 15 years to cater for projected housing need. In addition, the West Northamptonshire Joint Core Strategy and the Central Area Action Plan both seek the regeneration of the town centre, with a view to Northampton Town Centre becoming a Principal Urban Area, where development and investment is focused over the plan period.

3.1.3 Key regeneration projects are either completed or underway, including:

- the commitment by the University of Northampton to move into the town centre by 2018. A planning application for the development on the Avon Nunn Mills Road site was approved in principle in December 2013, subject to a Section 106 Agreement. The scheme will include accommodation for around 1,500 students
- the development of student accommodation at the former St John's surface car park which was completed in February 2014, providing accommodation for just over 400 students
- the Northgate Bus Station was completed in March 2014, replacing the Greyfriars Bus Station
- the redevelopment of Northampton's railway station

² Additional Licensing of HiMOS, a proposed scheme for Northampton – consultation paper (NBC, November 2013)

³ Proposed Changes Joint Core Strategy Population Projections (West Northamptonshire Joint Planning Unit, July 2012)

⁴ http://www.northamptonshireobservatory.org.uk/docs/doc11-02-14%20LEA_Report_FINAL110221162753.pdf



Photo: New student accommodation for the University of Northampton at the former St John's surface car park

3.1.4 All the regeneration and renewal programmes are increasingly attracting students, visitors and investors which means that those seeking employments, and potentially accommodation, are also likely be attracted to Northampton.

3.1.5 This will have an impact on demand for HiMO properties. Increase in the student population in the town centre will potentially divert interest from the University's original location in Kingsthorpe to areas around Avon Nunn Mills, including Billing Road, Abington, Far Cotton and Semilong areas – all of which are within walking distance of or accessible by public transport to the new University. Although approximately 2,000 purpose built student accommodation units will be available at St John's and at the Campus Sites, these will not be sufficient to meet student and staff demand. There are currently around 15,000 students studying at the University, pursuing a mixture of diploma, undergraduate and postgraduate programmes.⁵

3.1.6 Further planned expansion for business operators will also result in labour supply seeking accommodation, particularly in the sectors such as general industrial and warehousing, and retail.

⁵ <http://www.thecompleteuniversityguide.co.uk/northampton>

3.2 ISSUES ASSOCIATED WITH HiMO'S

3.2.1 Some people, including students and those on lower income, will need access to cheaper, private rented accommodation. Opportunities exist to capitalise on properties that can accommodate additional occupants, therefore promoting a sustainable approach towards addressing the requirements of the younger population, jobseekers, students, in – migration and those on lower incomes. There will be properties that are located close to the town centre, in close proximity to local public transport networks and local amenities, which are capable of being used as HiMOs.



Photo: Example where HiMOs can be acceptable because this road has capacity for additional parking, is close to amenities and public transport services

3.2.2 However, the establishment of HiMOs can bring about certain issues which, unless properly managed, can lead to detrimental effects on the occupants, the neighbours and the physical environment of the neighbourhood. These could include:

- **Parking**: additional occupancy of premises can lead to an increase in demand for parking, although this is dependent on the area and its proximity to alternative modes of transport. There will also be increased demand for cycle space, although this could sometimes be accommodated within the property
- **Noise**: increased occupancy can also lead to increased noise and activities during unsociable hours. Complaints in terms of noise, particularly in areas occupied by students, is a common occurrence

- Negative impacts on the physical environment and streetscape: Local environmental conditions can deteriorate as a result of issues such as overgrown gardens, street litter and fly tipping. The streetscape, in terms of its character, can also alter as a result of increasing HiMO numbers. For example, the character of a street which was predominantly used for family housing will be altered if half of the units are converted into HiMOs because there will be changes made to the occupancy of the buildings and associated provisions (which may impact on the facades) and potentially more cars parked on the streets
- Overcrowding: there are reported cases of overcrowding, which can lead to health and safety concerns for the occupants, This is in addition to the problems associated with noise, litter and parking
- Occupancy: there are marked variations in occupancy, with high levels during term time and high levels of vacancy during university holidays, leading to issues associated with seasonal noise
- Fire safety: the risk of death from fire is 6 times higher in HiMOs compared to dwellings in single occupation⁶



Photo: Examples where litter can become a problem

3.2.3 All the above issues can potentially have negative impacts on the mental health and wellbeing of individuals living within HiMOs and their neighbours, as well as the physical environment in which they live.

⁶ Additional Licensing of HiMOs, a proposed scheme for Northampton – consultation paper (NBC, November 2013)



Photo: Example where parking can become a problem

3.2.4 Alternatively, the establishment of HiMOs can have positive contributions in terms of community mix, particularly if these are properly managed. HiMOs also contribute to the overall need to provide a variety of houses and types to meet rising housing needs.

3.2.5 Although the principles outlined in the next chapter of this IPPS are not aimed specifically at addressing those negative issues, the requirements for high standards and high quality accommodation will contribute positively towards ensuring that the landlords provide an appropriate and secure physical environment for tenants, whilst respecting the lifestyles and privacy of adjoining residents.

THE PRINCIPLES FOR DETERMINING PLANNING APPLICATIONS IN RELATION TO HOUSES IN MULTIPLE OCCUPATION (HiMO)

4.1 MANAGING THE GROWTH OF HiMOs

4.1.1 Given the likelihood that the demand for HiMOs will increase, the opportunity arises to ensure that demand can be met, but these should not result in elevating the issues highlighted in Section 3. The principles below will assist in:

- Amplifying the policies contained in both the West Northamptonshire Joint Core Strategy and the Northampton Central Area Action Plan, as well as the saved policy outlined in the adopted Northampton Local Plan
- Guiding property owners and applicants on the Council's requirements and recommendations prior to submitting a planning application

4.2 PRINCIPLES FOR DETERMINING PLANNING APPLICATIONS FOR HOUSES IN MULTIPLE OCCUPATION

4.2.1 All planning applications for change of use from dwellings to houses in Multiple Occupation (HiMO) – including those affecting listed buildings and / or Conservation Areas – need to conform to the principles listed below:

PRINCIPLE 1 OBJECTIVE: **TO CREATE, SUPPORT AND MAINTAIN A BALANCED, MIXED AND INCLUSIVE COMMUNITY AND TO PROTECT THE NEIGHBOURHOOD AND STREETSCENE CHARACTER**

4.2.2 Principle 1 seeks to ensure that demand for houses in multiple occupation can be met in a manner which will result in the creation of a balanced and mixed community, and protect the physical character of the street and the neighbourhood as a whole.

4.2.3 To assist with formulating a principle for HiMOs in Northampton, the Council has undertaken a series of exercises, to include:

- Establishing a threshold which should be used to determine the level of HiMOs within a specified area
- Undertaking a character assessment of the wards to assist in understanding the current character of the areas and assess – using sample sites - how the threshold imposed can potentially impact on character of the area

Overview of character areas and wards

4.2.4 Northampton is a predominantly urban area, in some cases quite compact, providing a rich mixture of modern / contemporary and historic accommodation. It has a mix of housing types and styles, ranging from properties built in the 17th century, through to Georgian and Victorian units, post war houses and houses which are products of the then Urban Development Corporation's Masterplan in the 1960s and 1970s. There are pockets of villages with properties dating back to the 17th Century, some of which have maintained their character. Housing growth has also taken place both as infill developments and schemes on the village periphery and beyond.

4.2.5 There are 33 Wards in Northampton, and within each ward, there are examples of varied design, character and occupancy often within a small catchment. In Abington and Phippsville Wards for example, there is a dominance of Victorian and Edwardian properties in King Edward Road, Abington Avenue and Abington Grove, interspersed with more individually designed, large, detached buildings in Park Avenue North. There are areas and streets which offer characteristics of historic and architectural values which enhance the street scene as well as the area's sense of place (for instance, premises within Church Way in Weston Favell village).

4.2.6 Northampton also has streets of medium to high density Victorian terraced houses (such as streets in Semilong and Abington) through to low density detached, individually designed premises (including those in Abington Park Crescent and its interchange with Wellingborough Road).

4.2.7 Semilong Ward accommodates a high concentration of HiMOs, primarily due to the high number of Victorian terraces and its proximity to the town centre. Spencer Ward also has some HiMOs, and demand is expected to increase in this area. (It was included in the top 20% of the most deprived areas nationally in 2010).⁷ Residents living in the area suffer from higher levels of unemployment (and lack of access to jobs and training), low educational attainment and limited house ownership opportunities.

4.2.8 Kingsthorpe, Sunnyside, Parkland and St David Wards also accommodate a high level of HiMOs which could be attributed to the University of Northampton and the employment areas in Moulton Park and Round Spinney. These Wards offer a mixture of post war properties capable of accommodating additional HiMOs. However, it is likely that demand for HiMOs in these wards may reduce as interest is shifted towards Wards within and closer to the town centre and the area to which the University of Northampton will be relocating.

7

<http://www.northamptonshireobservatory.org.uk/dataexplorer/dataset.asp?datasetid=1164&collectionid=119&theme=>

4.2.9 Delapre (part of Delapre & Briar Hill Ward) was also included in the national top 20% most deprived areas in 2010. This Ward is likely to have a higher impact from the developments proposed in the town centre and the University of Northampton scheme because of its proximity to the town centre and the availability of 2 and 3 storey Victorian terraces and post war dwellings to meet demand. The location of Far Cotton local centre, which provides retail and service facilities as well as restaurants and takeaways, offers an alternative to the town centre and is within walking distance from most of the residential properties south of the River Nene.

Impacts of HiMOs on the physical streetscene and character

4.2.10 Changes to occupancy levels within streets (resulting from an increase in HiMOs) can have an adverse impact on the character of the street scene, as well as on amenity space. The study “Evidence Gathering – Housing in Multiple occupation and Possible Planning Responses”⁸ identifies problems associated with high concentrations of HiMOs. It is these problems which led to an Article 4 Direction being made to include Semilong, St James, St Davids, Kingsthorpe, Sunnyside and Abington. The effect of the Article 4 Direction is to remove permitted development rights in respect of that where planning permission would not be required for a change of use from dwellinghouse to a HiMO, and require a planning application to be submitted. A boundary showing where the Article 4 Directions apply can be found by accessing the link below:

<http://www.northampton.gov.uk/info/200206/planning-applications/986/permitted-development-rights>

Policy approach to managing HiMOs

4.2.11 Policy H6 of the Joint Core Strategy states that the existing housing stock will be managed and safeguarded by allowing houses in multiple occupation (HiMOs) where they would not adversely affect the character and amenity of existing residential areas.

4.2.12 Northampton’s existing saved Policy H30 (see Appendix 1) makes it clear that any proposal should not result in an over concentration of similar uses leading to a material change in the character of the area and that it would not create a substantial demand for on-street parking in areas with parking difficulties.

4.2.13 The local character and amenity of an area is a critical consideration in determining whether additional HiMOs should be allowed. Where an established character of an area is likely to face significant harm, or the living conditions of residents nearby are affected, the Council will be minded to refuse an application.

4.2.14 To address the issues associated with impacts on character and amenities, the Council will use a recommendation emerging from the “Evidence Gathering –

⁸ Evidence Gathering – Housing in Multiple Occupation and possible planning responses, Final Report (CLG, September 2008)

Housing in Multiple Occupation and possible planning responses” released by CLG. This relates to the use of a threshold approach, which is also increasingly used by local authorities. This approach sets a ceiling which restricts HiMOs. In other words, within a certain street or area or even within the whole administrative boundary, a blanket threshold could be applied, restricting the percentage of HiMOs within a certain radius – to ensure that the issue of over concentration is properly assessed and managed. The application of a threshold will also ensure that the character and amenity of an area will not be adversely affected.

4.2.15 There are common thresholds used by a number of local authorities, to restrict the number of HiMO within a defined area, these range between 5% and 20%. The thresholds are usually found to be applicable within a 50 metre radius of the application area. A 50m buffer zone is preferred, as within a compact urban area, the character of a street can change significantly. Some local authorities studied have similar issues to Northampton (ie a University town or a large compact urban area where private sector housing is in demand).

4.2.16 There are many streets in several Wards (including Semilong, Abington and Castle) where the thresholds of 10% are likely to be close to being reached or have been reached. Taking into account the fact that Northampton as a town is rapidly growing, both in terms of its population and investment, coupled with the relocation of University of Northampton campus into the town centre; it is recommended that the threshold be increased to 15% to meet demand.

4.2.17 In some areas, there is already evidence that the character of the area and its amenity spaces is significantly compromised to an extent where issues like parking and litter are becoming increasingly problematic and damaging on people’s health and welfare. This is one of the reasons why the Article 4 Directions have been put in place and the Council is also proposing to extend its licencing system to cover a much wider area. In addition, if HiMO continue to increase in these already over concentrated areas, there is a potential that the community will become imbalanced, resulting in a higher proportion of a specific group of people (eg students) in a primarily residential area which caters for families. Therefore, to ensure that the area’s character is given due consideration when determining an application, a 50m buffer zone is applied.

4.2.18 The need to ensure a balanced community will impact on the potential for prioritising further opportunities for HiMO establishment within certain areas of Northampton. For example, there are streets in Abington and Trinity Wards which could accommodate additional HiMOs without causing a significant adverse impact on the character of the streets. Likewise, there are areas in Far Cotton, Delapre and Briar Hill Wards which could accommodate additional HiMOs to meet potential demand from the University of Northampton’s relocation and contribute towards providing a healthy population mix. These properties are of a similar design and era (for example, 2 – 3 storey Victorian terraces) capable of conversion into HiMOs and are either centrally located or within close proximity to the town centre and local services.

4.2.19 Since Northampton is set to grow, both in terms of its population and its associated development, it is reasonable to predict that over concentration could become a widespread concern in the future, particularly in terms of impact on local infrastructure. An element of managing this growth is considered justifiable. The thresholds in Principle 1 below provide some benchmark from which the Council will determine planning applications.

PRINCIPLE 1:

TO CREATE, SUPPORT AND MAINTAIN A BALANCED, MIXED AND INCLUSIVE COMMUNITY AND TO PROTECT THE NEIGHBOURHOOD AND STREETSCENE CHARACTER

In creating, supporting and maintaining a balanced, mixed and inclusive community, all planning applications for change of use from dwellinghouses to a House in Multiple Occupation (HiMO) will, in respect of this principle, be supported, taking into account the following considerations:

- 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 15% of the total number of HiMO dwellings within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality

PRINCIPLE 2 OBJECTIVE:

TO SECURE THE PROVISION OF ADEQUATE FACILITIES AND AMENITIES, AND MINIMISE FLOOD RISK

4.2.20 This principle seeks to highlight the key requirements for facilities and amenities space as provided for in the Council's document "A Good Practice Guide for Landlords: Facilities and Amenities – for houses in multiple occupation on a room basis and sharing facilities" which was published in December 2013. It is accepted that this guidance might change, so the principle formulated makes reference to any future updates.

4.2.21 When converting a property into a house in multiple occupation, it is important for the property owner or landlord to provide acceptable standards for a range of space and facilities including room sizes, health and safety rating system, lighting and internal layouts. The Council produced "A good practice guide for Landlords: Facilities and Amenities" (December 2013) which provide details of these requirements. Further information can be obtained by contacting the Borough Council's Private Sector Housing section (see Appendix 3).

Key requirements

4.2.22 The key requirements contained in the guidance include:

- **Space standard for bedroom for 1 occupant:** the study / bedroom should be 8.5 sq.m (90 sq.ft) or larger, except where a separate living room is provided which is not a kitchen / dining room, in which case the bedroom can be a minimum 6.5 sq.m (70 sq.ft)
- **Space standards for bedrooms with 2 occupants:** the room should be 14 sq.m (150 sq.ft) or larger, except where a separate living room is provided which is not a kitchen / dining room, in which case the bedroom can be a minimum 11 sq.m (120 sq.ft)
- **Room sizes:** the following applies –

Room	Square metres	Square feet
Kitchen (1 – 5 persons)	7	75
Kitchen (6 – 10 persons)	10	110
Kitchen / Diner (1 – 5 persons)	13	140
Dining room (1 – 5 persons)	11	120
Dining room (6 – 10 persons)	14	150
Living room (1 – 5 persons)	11	120
Living room (6 – 10 persons)	14	150

- **Natural lighting:** all habitable rooms should have an adequate level of natural lighting provided via a clear glazed window or windows. Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided with a window. For this to be acceptable, any windows must not have an adverse impact on the neighbours
- **Fire safety:** the requirements for a risk assessment based approach to fire safety in residential accommodation are based on the advice detailed in the LACORS⁹ guide. These aim to identify fire hazards, reduce the risks and determine appropriate physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises in the event of a fire. Further information can be obtained from the Practice Guide and also from the Fire Service
- **Building control:** Building Regulation approval will be required for works to be undertaken to allow premises to be used safely as a HiMO. Landlords should therefore check their records to ensure that Building Regulation consent has been obtained for the property concerned. Further information

⁹ Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing (LACORS, July 2008) (SBN 978-1-84049-638-3)

can be obtained from the Council's Building Control Officers (see Appendix 3 for details) or through any independent Building Control body

Sharing Ratios

4.2.23 In terms of sharing ratios, the following ratios are required:

No of people (irrespective of age)	Facilities required
1 – 4	At least 1 bathroom/shower, 1 toilet and wash hand basin (may be combined).
5	At least 1 bathroom containing 1 bathroom (with toilet, wash hand basin and bath / shower) and 1 separate toilet
6 – 8	2 x bathrooms and 2 x toilets with wash hand basins (ideally separate)
9 – 10	3 x bathrooms and 3 x toilets with wash hand basins (ideally separate)
11 – 15	3 x bathrooms and 3 x separate toilets with wash hand basins (but 2 of the toilets may be contained within 2 of the bathrooms)

Basements and Flood Risks

4.2.24 Basements, by their very nature, are susceptible to flooding particularly in areas of designated flood zones and areas where surface water drainage is an issue.

4.2.24 As a consequence of extensive flooding in Northampton over Easter 1998, most areas are now equipped with flood defences that provides a 1:200 year protection. 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 throughout 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 Upper Nene catchment.

4.2.25 However, although the risk of river flooding behind these defences is reduced, there is still a residual risk of flooding particularly where basements are converted into living accommodation. There are areas within Far Cotton for instance, which fall within the designated Flood Zone 3, with a 1 in 100 or greater annual probability of flooding in any one year. Therefore, proposals for HiMO should be safe, not result in an increase in flood risk and risks from surface water drainage and accord with requirements contained in the National Planning Practice Guidance (March 2014).

**PRINCIPLE 2:
TO SECURE THE PROVISION OF ADEQUATE FACILITIES AND AMENITIES
AND MINIMISE FLOOD RISK**

All proposals will provide for a range of facilities and amenities which are of acceptable standards, compliant with Northampton Borough Council's "Good Practice Guide for Landlords: Facilities and Amenities December 2013" or equivalent / update. The proposal should not result in an increase in flood risk and risks arising from surface water drainage.

**PRINCIPLE 3 OBJECTIVE:
TO PROMOTE THE USE OF PUBLIC TRANSPORT, CYCLING AND WALKING
AND TO SECURE PROVISION OF ADEQUATE PARKING**

4.2.24 National guidance states that the transport system needs to be balanced in favour of sustainable transport modes, which essentially means that public transport, cycling and walking are the preferred use of movement compared to private cars. However, the Government acknowledged that different policies and measures will be required in different communities. In other words, demand for car parking spaces in a row of terraced dwellings occupied by families will differ from a terrace with mixed occupancy incorporating HiMO.

4.2.25 For example, where a property previously occupied by a family of 4 is converted into a HiMO, and occupied by 3 or more unrelated persons, there is a potential for on-street parking to increase. Whereas the initial occupants may only require 1 or 2 car parking spaces, the HiMO occupants may need spaces for 3 cars or more. Cumulatively, with any increase in HiMO within the area, substantial demand for parking could arise.

4.2.26 However, it is also accepted that some occupants of HiMO including students, may rely on bicycles, walking and buses for travel. Northamptonshire County Council states that those in rented accommodation have the lowest level of car ownership.¹⁰ It may therefore be the case that additional parking is not be required in areas closer to facilities and services, and those close to public transport networks or cycle routes.

4.2.27 Although there are parking standards in place, with the most recent standards adopted in the Central Area Action Plan, they do not specifically address requirements for houses in multiple occupation. The County Council's Place and Movement Guide provides a recommended approach, which is applicable to new residential developments. In essence, the County Council considers that applying a rigid parking standard across a development is not always the best option, and encourages developers and local planning authorities to review parking in line with the location of the development and the housing typology that is proposed. This

¹⁰ Northamptonshire Place and Movement Guide (NCC, November 2008)

approach is considered suitable to be applied to HiMO as it applies to developments including rented accommodation. The approach is:

In order to accommodate the needs of various types, sizes, tenure and locations of development, it is proposed that a more flexible, site specific approach is used when determining parking levels for a site

4.2.28 The above approach has a reliance on the correlation between levels of accessibility and car usage. Accessibility is considered to be a key supporting element to any successful site specific approach to parking provision. Using the County Council's parking standards (SPG) as well as the standards outlined in the Central Area Action Plan (adopted 2013), reduced or limited levels of parking can be applied in accessible locations such as:

- town centres / district centres / local centres / neighbourhood parades
- areas where buses are easily accessible.

4.2.29 Principle 3 has been formulated to contribute towards the County Council's aim of creating a transport system that supports and encourages growth and plans for the future impacts of growth, whilst successfully providing benefits for the County¹¹. Therefore, applications for change of use to HiMO with limited or no additional car parking provision can be supported in principle if the property:

- Is located within easy walking distance to facilities and services including local and neighbourhood centres
- Is located in streets which are well (and safely) connected to the public transport network (bus stops along the street or within 400m of a property¹²). Details of existing bus stops and services can be found by accessing:

<http://www.northamptonshire.gov.uk/en/councilservices/transport/pubtrans/pages/default.aspx>.

(Hard copies of the maps can also be found in the One Stop Shop and Northgate Bus Interchange)

- Provide adequate external storage which can accommodate bicycles without taking too much space from within the dwelling, meaning that residents can have direct outside access to bicycles which would otherwise be difficult to store inside the property

¹¹ Northamptonshire Place and Movement Guide (NCC, November 2008)

¹² Northamptonshire Bus Strategy (Northamptonshire County Council, January 2013)

**PRINCIPLE 3:
TO PROMOTE THE USE OF PUBLIC TRANSPORT, CYCLING AND WALKING
AND TO SECURE PROVISION OF ADEQUATE PARKING**

HiMO applications with limited or no parking provision will be required to satisfy the following criteria:

- Be located within 400m of a bus stop or
- Be located within walking distance to facilities and services contained in the town centre, district centre, local centre or neighbourhood parade

In the above areas, adequate external storage space should be provided for and be easily accessible for cycle users.

In areas where additional parking is required, the provision should accord with the standards set out in:

- Policy 10 of the Northampton Central Area Action Plan (adopted 2013)¹³
- The Supplementary Planning Guidance for Car Parking (Northamptonshire County Council 2003)¹⁴

or any subsequent updated or equivalent documents.

**PRINCIPLE 4 OBJECTIVE:
TO ENSURE ADEQUATE REFUSE PROVISION AND STORAGE**

4.2.30 When a dwellinghouse is converted into a HiMO, there is potential for refuse and waste disposal to increase. For instance, if the property was previously occupied by a small family, refuse disposal requirement is unlikely to be as high as it would be if the property is occupied by 6 adults. With increased occupancy, appropriate refuse storage is required to avoid issues associated with litter, fly tipping and local amenity.

4.2.31 When applying to change the use of a dwellinghouse to a HiMO, the applicant is required to provide the following:

- Sufficient refuse storage to meet the requirements of the occupants

¹³

http://www.northampton.gov.uk/info/200205/planning_for_the_future/1748/central_area_action_plan_caap

¹⁴ http://www.northampton.gov.uk/info/200205/planning_for_the_future/1403/central_area_action_plan-evidence_base

- Enclosed bin storage area either at the front or the rear of the property

4.2.32 Further information can be obtained from the Borough Council's Enterprise team, in terms of refuse collections and refuse collection facilities including trolleys and recycling bins. Details are available by accessing the following link:

<http://www.northampton.gov.uk/info/200084/waste-and-recycling>

4.2.33 The landlord / property owner is responsible for supplying adequate waste and recycling facilities and ensuring that the property is kept tidy and hygienic.

**PRINCIPLE 4:
TO ENSURE ADEQUATE REFUSE PROVISION AND STORAGE**

Adequate Waste and Recycling facilities will be provided to ensure that sufficient refuse storage will be available within the curtilage of the site and within a secure facility

5 MONITORING

5.1.1 As a Local Planning Authority, Northampton Borough Council annually monitors the impacts of their adopted policies and principles. This will provide an overview as to whether the policies are effective.

5.1.2 Monitoring will take the form of:

- Assessing the number of planning applications for HiMOs which have been granted consent
- Assessing the number of planning applications for HiMOs which have been refused consent
- The success of this SPD in appeal decisions

REFERENCES

DOCUMENTS

National Planning Policies / Government Publications

- Houses in Multiple Occupation (House of Commons Library, December 2013)
- National Planning Policy Framework (March 2012)
- Evidence Gathering – Housing in Multiple Occupation and possible planning responses (CLG, September 2008)

Strategic and Local Planning Policies

- West Northamptonshire Joint Core Strategy (Inspector's Report October 2014)
- Northampton Local Plan saved policies (adopted June 1997)

Other

- Facilities and Amenities – for houses in multiple occupation occupied on a room basis and sharing facilities: a good practice guide for Landlords (NBC, December 2013)
- Northamptonshire Bus Strategy (Northamptonshire County Council, January 2013)
- Northamptonshire Place and Movement Guide (Northamptonshire County Council, November 2008)
- Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing (LACORS, July 2008) (SBN 978-1-84049-638-3)

WEBSITES

- <http://www.northampton.gov.uk/info/200074/planning>
- <http://www.environment-agency.gov.uk/aboutus/default.aspx>
- <http://www.nationalhmonetwork.com/definition.php>

- http://www.northamptonshireobservatory.org.uk/docs/doc11-02-14%20LEA_Report_FINAL110221162753.pdf
- <http://www.thecompleteuniversityguide.co.uk/northampton>
- <http://www.northamptonshireobservatory.org.uk/dataexplorer/dataset.asp?datasetid=1164&collectionid=119&theme=>
- http://www.northampton.gov.uk/info/200207/building_conservation_and_trees/1446/conservation-home
- <http://www.northamptonshire.gov.uk/en/councilservices/transport/pubtrans/pages/default.aspx>

Appendix 1: PLANNING POLICY DIRECTION

a. National Planning Policy Framework (March 2012)

Delivering a wide choice of high quality homes

Para 50: To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Requiring good design

Para 58: Planning policies and decision should....create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion

Meeting the challenge of climate change, flooding and coastal change

Para 93: Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development

Planning policies and decisions

Para 123: Planning policies and decisions should aim to:

- Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development
- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions

Conserving and enhancing the historic environment

Para 126: Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring
- The desirability of new development making a positive contribution to local character and distinctiveness and
- Opportunities to draw on the contribution made by the historic environment to the character of the place

b. West Northamptonshire Joint Core Strategy (Inspector's Report October 2014)

Policy H6: Managing the Housing Stock

The existing stock will be managed and safeguarded by:

- Restricting the loss of existing dwellings to other uses
- Securing the re-use of empty dwellings for residential use
- Allowing houses in multiple occupation (HMOs) where they would not adversely affect the character and amenity of existing residential areas

Where required, the environment of existing residential areas will be enhanced, including the renovation and replacement of existing housing through area based renewal.

c. Northampton Central Area Action Plan (adopted January 2013)

It should be noted that the policy below applies to new developments. However, the policy seeks to promote design excellence across all schemes, and the spirit of Policy 1 should be applied when considering a proposal.

Policy 1: Promoting Design Excellence (relevant extracts)

All new development within the Central Area must demonstrate a high design standard and successfully address the following design objectives:

- Positively contribute to the character of an area with regard to the existing urban grain, scale, massing, materials and architectural style of surrounding buildings, and be consistent with Central Area Character Areas and Gateways
- Create uncluttered streets lined by active building frontage or public open space, in order to provide a vibrant and safe street scene for everyone in society, including vulnerable groups
- Preserve and enhance the character, appearance and setting of the Central Area's heritage assets, and in the conservation areas pay suitable regard to the adopted Conservation Area Appraisals and Management Plans

Policy 10: Parking (relevant extracts)

Within the Central Area, unless it can be shown that there are exceptional reasons that justify additional private off-street car parking, the following will apply:

- Within the edge of Town Centre boundary as defined on the Proposals Map, private parking provision will be at a maximum of 50% of the standards set out in Appendix E: Parking Standards: Central Area Zones
- Elsewhere within the Central Area, maximum standards are set out in Appendix E: Parking Standards: Central Area Zones

For Houses in Multiple Occupation, the parking standards are:

- Car parking: 1 space per bedroom
- Cycle parking: 1 space per 2 bedrooms

d. Northampton Adopted Local Plan (June 1997) – saved policies

In addition, the Northampton Local Plan (June 1997) also contains saved policies which are used to determine planning application for change of use from dwelling houses to Houses in Multiple Occupation. These policies will subsequently be replaced by the West Northamptonshire Joint Core Strategy, Policy H6, when it is formally adopted.

In the meantime, the relevant saved policy is given below.

Policy H30: Multi-occupation within a single dwelling

Within the primarily residential areas identified on the proposals map, planning permission for the use of a residential unit by more than 6 people living together as a single household or any number of persons not living together as a family, will be granted subject to complying with the following criteria:

- The existing property is of a sufficient size to accommodate the proposed use
- The use would not result in an over concentration of similar uses in one particular locality leading to a material change in the character which would be detrimental to the amenities of neighbouring residents and the locality
- The use would not create a substantial demand for on-street parking in areas huddled to be experiencing local difficulties in this respect

APPENDIX 2: DEFINITIONS

Circular 02/2010: Changes to Planning Regulations for Dwelling Houses and Houses in Multiple Occupation

C4 Use Class Order (House in Multiple Occupation) covers small shared houses or flats occupied by between 3 and 6 unrelated people, who share basic amenities. The Housing Act 2004 defines “basic amenities” as a toilet, personal washing facilities and/or cooking facilities.

Housing Act 2004

The Act defines HiMO¹⁵ as:

- An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet
- A house which has been converted entirely into bedsits or other non self-contained accommodation and which is let to 3 or more tenants who form 2 or more households and who share basic amenities
- A converted house which contains one or more flats which are not wholly self-contained (ie the flat does not contain within it a kitchen, bathroom or toilet) and which is occupied by 3 or more tenants who form two or more households
- A building which is converted entirely into **self-contained** flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies
- In order to be an HMO the property must be used as the tenants’ only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrant workers will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges

The following buildings or part of buildings are not Houses in Multiple Occupation:

- A converted block of flats
- Controlled or managed by a registered social landlord or local authority
- Controlled or managed by a fire and rescue authority, police authority or health service body
- Occupied by students and controlled or managed by an education establishment eg hall of residence
- Occupied for the purposes of a religious community whose main occupation is prayer, contemplation, education or the relief of suffering
- Occupied solely by one or more persons who are owners (with either freehold or leasehold granted for more than 21 years)
- Occupied by two persons who form two households

¹⁵ <http://www.nationalhmonetwork.com/definition.php>

The Town and Country Planning (Use Classes) (Amendment) Order 2010

Class C4: Houses in multiple occupation is the use of a dwelling house by not more than six residents as a “house in multiple occupation”.

Interpretation of Class C4: for the purposes of Class C4 a “house in multiple occupation” does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004.”

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010

Development consisting of a change of use of a building to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order from a use falling within Class C4 (houses in multiple occupation) of that Schedule.”

APPENDIX 3: CONTACT DETAILS

ORGANISATION	PHONE NUMBER	EMAIL
Northampton Borough Council		
Building Control	01604 838 920	buildingcontrol@northampton.gov.uk
Development Management (Development Control / planning applications)	0300 330 7000 Option 6 then Option 1	planning@northampton.gov.uk
Enforcement	0300 330 7000 Option 6	planning@northampton.gov.uk
Planning Policy	0300 330 7000 Option 6	planningpolicy@northampton.gov.uk
Private Sector Housing	01604 838585	pshs@northampton.gov.uk
Enterprise (waste and recycling)		http://www.northampton.gov.uk/info/200084/waste-and-recycling
Others		
Northamptonshire County Council	0300 126 1000	http://www.northamptonshire.gov.uk/en/Pages/HomePage-old.aspx
Environment Agency	03708 506 506	http://www.environment-agency.gov.uk/aboutus/default.aspx
English Heritage	01604 735 400	eastmidlands@english-heritage.org.uk