



Appeal Decision

Site visit made on 7 January 2025

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2025

Appeal Ref: APP/M2840/W/24/3351076

9 Uist Walk, Corby, North Northants, NN17 2LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Angela Rawlings Of A R Lettings & Property Maintenance Ltd against the decision of North Northamptonshire Council.
 - The application Ref is NC/24/00072/DPA.
The development proposed is change of use from a 6 person HMO to a Sui Generis 7 person House in Multiple Occupation (HMO).
-

Decision

1. The appeal is allowed and planning permission is granted for change of use from a 6 person HMO to a Sui Generis 7 person House in Multiple Occupation (HMO) at 9 Uist Walk, Corby, North Northants, NN17 2LZ in accordance with the terms of the application, NC/24/00072/DPA, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan received 06.03.2024, Internal Sketch Plan (Ground Floor) received 17.02.2024, Internal Sketch Plan (First Floor) received 17.02.2024.
 - 3) The development hereby permitted shall be occupied by a maximum of 7 persons at any one time.

Preliminary Matters

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal statement also refers to the updated description.
3. Since the determination of the application a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The relevant amenity policies in the revised Framework are similar to those in the previous one and as such I consider there would be no prejudice to any party by considering the development against the relevant policies in the revised Framework.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the future occupiers of the development with particular regard to the standard of accommodation.

Reasons

5. The appeal property comprises a two-storey mid-terraced property with an enclosed garden to the rear located in a 1970's era housing estate. The appeal scheme entails the change of use of a 6 Bedroomed House in Multiple Occupation (HMO) into a Sui Generis 7 person HMO.
6. The proposal would involve a marginal intensification of use of the building, with no external or internal changes proposed. The appellant's submissions indicate that the three double bedrooms with en-suites would be let to couples, with the remaining single bedroom on the ground floor to be retained for a single person.
7. It is recognised that a multiple occupation use is of an essentially different character to that of a single family use, often being more transient in nature, with more comings and goings, general noise and disturbance and the need for more facilities such as refuse storage. However, there is little substantive evidence before me to demonstrate that these problems would be materially greater when compared with the existing use of the appeal property as an HMO. This is particularly important considering the current use of the property as a licenced HMO allows for up to six persons.
8. I observed on my site visit that the ground floor communal kitchen/dining room, that would be available to serve the occupants of the HMO, was of a practical shape, a reasonable size and a good layout, with a small seating area, table and high chairs. The occupants would also have access to the small garden at the rear of the property. In my view, the proposed spaces would offer ample opportunity for the future occupants of the HMO to conduct day-to-day activities, and for relaxation and recreation outside of the bedrooms. I therefore consider that a satisfactory living environment would be provided for the future occupants of the HMO as a result of the change of use.
9. Taking all matters into account, I am satisfied that the development would not have an unacceptable impact on the living conditions of the future occupiers, with particular regard to standard of accommodation. It would be consistent with Policy 8 of the North Northamptonshire Joint Core Strategy 2016 which, amongst other things, seeks to ensure that development do not result in an unacceptable impact on the amenities of future occupiers. In addition, it would accord with the Framework that development should seek to create places that promote health and well-being, with a high standard of amenity for future users (paragraph 135).

Conditions and Conclusion

10. Having regard to the Framework (Paragraph 57), in addition to the standard time limit condition, I have specified the approved plans as this provides certainty. The condition relating to the maximum occupancy of the property as an HMO is necessary in the interests of amenity and highway safety.
11. For the reasons given above and having considered all other matters raised, I conclude that the development would be in accordance with the development plan when read as a whole and that the appeal should be allowed.

David Troy

INSPECTOR