



Appeal Decision

Site visit made on 4 June 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/W2845/W/24/3358902

141 Wycliffe Road, Northampton NN1 5JJ

- 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 Mr Pickering against the decision of West Northamptonshire Council.
 - The application Ref is WNN/2023/0649.
 - The development proposed is change of use of existing dwelling house to 5 person house in multiple occupation (Class C4) including rear two storey flat roof extension to form new dwelling and private amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of existing dwelling house to 5 person house in multiple occupation (Class C4) including rear two storey flat roof extension to form new dwelling and private amenity space at 141 Wycliffe Road, Northampton NN1 5JJ in accordance with the terms of the application, Ref WNN/2023/0649, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 location plan, P67-11 (plans and elevations as existing), P67-20A (plans and elevations as proposed).
 - 3) Prior to the first use or occupation of either the HMO or dwelling hereby permitted, covered cycle parking facilities to serve that unit shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained for the parking of cycles in connection with the development.
 - 4) Prior to the first use or occupation of either the HMO or dwelling hereby permitted, covered refuse facilities shall be provided to serve that unit on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered facilities so provided shall thereafter be permanently retained for the storage of bins in connection with the development.
 - 5) The materials to be used on the external walls of the extension and alterations hereby permitted shall match those used in the existing building.

- 6) The maximum number of resident occupants in the House in Multiple Occupation shall not exceed 5.

Preliminary Matters

2. The original description was for a 6 person HMO but the application was amended during the course of consideration and an amended description agreed as above.
3. I have been referred to an earlier appeal decision relating to the conversion of the property into a 7 person HMO and proposed 1 bed ground floor flat¹. I have taken this into account in my decision below.

Main Issues

4. The main issues are:
 - The effect on the character of the area and living conditions of the occupiers of nearby properties by reason of noise and disturbance
 - Whether a suitable living environment would be provided for the occupants of the proposal

Reasons

5. The appeal site comprises a large Victorian terraced property within a residential street of similar dwellings, albeit the dwelling on the appeal site is larger than the majority with a gated vehicular access to the side with first floor accommodation over. Dwellings are located on the pavement edge with parking predominantly provided on street.

Noise and disturbance

6. The dwellings in the street appeared to be predominantly single family dwellings, but there was evidence of some that had been converted to flats, such as at number 124 and the Council suggests that there are three other HMOs within a 50 metre radius of the appeal site. The Council's Houses in Multiple Occupation SPD (2019) (HMO SPD) seeks to avoid an over concentration of such uses and sets a maximum threshold of 10% of HMOs within a 50 metre radius of any other HMO in order to protect neighbourhood character. The proposal would not result in an over concentration of HMOs in this respect.
7. The number of persons that would occupy the proposed HMO, at a maximum of five, would be similar to the number that could occupy the property as a single dwelling, albeit they would be likely to live more independent and separate lives. Notwithstanding this, and whilst that would be likely to mean that the 'comings and goings' associated with such more independent living would be higher than that of a single dwelling, that does not automatically mean that would result in any harm to the character of the area due to an increased level of noise and disturbance.
8. The additional dwelling unit proposed would add further in terms of numbers of residents but would be modest in size. The relationship with the dwelling adjoining would be no different from others in the street and the front door entrance would adjoin the proposed HMO rather than the adjoining property to the south.

¹ APP/V2825/W/22/3306179

9. In the recent appeal relating to the conversion of the property into a seven person HMO, the Inspector concluded that the increased intensity of use would cause unacceptable disturbance to neighbouring occupiers with the comings and goings of future occupiers using a shared entrance and corridor which would be detrimental to the occupiers of the neighbouring occupiers living conditions. The proposed flat was not found to result in any unacceptable noise or disturbance to occupiers of the adjoining property.
10. The current proposal would represent a reduction in the number of HMO occupants and a consequent reduction in the likely frequency of 'coming and goings' that could result in harm to the living conditions of neighbouring occupants in this regard. Given that the overall numbers now sought are not dissimilar to the numbers that could occupy the existing dwelling and would be similar to others in the street, I consider that the proposed level of occupancy would be acceptable. The proposed dwelling, whilst larger than the previous proposed flat, would be modest in size and would not generate a harmful level of comings and goings.
11. In this regard I note the Council's Environmental Health department did not object subject to the imposition of conditions and Housing commented that it was suitable as a 5 person HMO.
12. I therefore conclude that there would not be an unacceptably harmful impact on the living conditions of the occupiers of neighbouring properties due to noise and disturbance. The proposal would therefore comply with Policies H1 and BN9 of the West Northants Joint Core Strategy (2014) (JCS) and Policy Q2 of the Northampton Local Plan Part 2 (2023) (NLP2) which require development to have regard to the amenities of occupiers of neighbouring properties and create and protect a high standard of amenity for occupiers and allow HMOs where they would not adversely affect the character and amenity of the existing residential area and to minimise any adverse impacts of noise.

Living environment for proposed occupants

13. The proposed HMO would satisfy the HMO SPD in terms of room sizes and shared facilities with all HMO rooms of good size and provided with adequate outlook and levels of light. In addition, whilst the rear amenity space would be modest in size and would need to accommodate cycle and bin storage, the remaining area would be adequate in size to provide a reasonable level of amenity for the proposed number of residents with access to it provided via the shared kitchen area.
14. The garden area for the proposed dwelling would be small but adequate to serve the two bed dwelling proposed with direct access from the proposed kitchen. It would not be dissimilar in size to others within the street.
15. The Inspector in the earlier appeal found that the garden areas would provide usable areas with space for drying clothes and sitting out and I find that a similar conclusion can be reached with this proposed development. Overall, the proposal would not be an overdevelopment of the site.
16. I therefore conclude that the proposal would provide acceptable living conditions and environment for the proposed occupiers and thus would comply with JCS Policy H1 and NLP2 Policy Q2 which seek to ensure, amongst other things, that housing development make efficient use of land whilst having regard to the living

conditions provided for future residents and that private or communal garden space meets the reasonable needs of its users and provides opportunities for privacy.

Other Matters

17. There have been a number of third party objections, which in addition to expressing concerns regarding the main issues also contend that the uses would generate increased demand for parking, which cannot be satisfactorily accommodated on street. However, the site is located within reasonable walking distance of public transport and local amenities and thus complies with the HMO SPD in this respect. Given the above and taking account of the nature of the use, not all residents would choose to own a car, and a suitable condition can require the provision of on-site cycle storage facilities to further encourage the use of sustainable modes of transport.
18. For the above reasons, I also find that the proposal would satisfy the policies of the National Planning Policy Framework which seek an effective use of land in meeting the need for homes, whilst safeguarding and improving the environment, and ensuring safe and healthy living conditions and well designed places with a high standard of amenity for existing and future users.

Conditions

19. I have reviewed the list of conditions suggested by the Council in the light of Framework paragraphs 56 and 57. In addition to the standard time condition, a condition to refer to the approved plans is necessary in the interests of clarity and proper planning. Conditions to secure suitable cycle and refuse storage are also necessary to promote sustainable transport and provide adequate and safe storage areas to serve the occupants. A condition to ensure that all new building work matches the materials to be used on the existing building is necessary in the interests of the visual amenity of the area and a condition to control the number of occupants in the HMO is necessary as that is the basis on which the proposal has been assessed and found to be acceptable in terms of the main issues.

Conclusion

20. The proposal would comply with the development plan when read as a whole and there are no material considerations that indicate otherwise. I therefore conclude that the appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR