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**North
Northamptonshire
Council**

Meeting: North Northamptonshire Area Planning Committee (Corby)
Date: Wednesday 16th November 2022
Time: 07:00 pm
Venue: Council Chamber, The Cube, George Street, Corby

To members of the North Northamptonshire Area Planning Committee (Corby)

Councillors Watt (Chair), Sims (Vice Chair), Addison, Armour, Buckingham, Colquhoun, Dalziel, McEwan, Riley

Substitute Councillors Buckingham, Nichol, McGhee

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05	Close of Meeting		
	Adele Wylie, Monitoring Officer North Northamptonshire Council  Proper Officer 8th November 2022		

*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

Committee Administrator: Pauline Brennan

pauline.brennan@northnorthants.gov.uk

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon Tuesday 15 November 2022
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon Tuesday 15 November 2022

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Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

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Minutes of a meeting of the Area Planning Committee Corby

At 7.00 pm on Wednesday 21 September 2022

Held at: Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

Present: -

Members

Councillor Kevin Watt (Chair)

Councillor David Sims (Vice Chair)

Councillor Jean Addison

Councillor Lyn Buckingham

Councillor William Colquhoun

Councillor Alison Dalziel

Councillor Peter McEwan

Councillor Ross Armour

62 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Simon Rielly.

63 MEMBERS' DECLARATIONS OF INTEREST

Councillor Buckingham declared a non-prejudicial interest as she was also a Councillor on Corby Town Council, Councillor Buckingham was also aware of Parish Councillor Newby.

Councillor Watt declared a personal non-prejudicial interest in the Gretton application.

64 MINUTES OF THE MEETING HELD ON 22 August 2022

The minutes of the previous meeting were moved by Councillor Addison and seconded by Councillor McEwan.

RESOLVED that: The Area Planning Committee Corby agreed the minutes of the meeting held on 22 August 2022.

65 APPLICATIONS FOR PLANNING PERMISSION, LISTED BUILDING CONSENT AND APPEAL INFORMATION*

The Committee considered the following applications for planning permission, which were set out in the Planning Application report and supplemented verbally at the meeting.

The report included details of the application and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions: -

NC/22/00215/DPA

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Erection of 4 bed dwelling, 61 Kirby Road, Gretton.</p> <p>Application No: NC/22/00215/DPA</p> <p><u>Speakers:</u></p> <p>The Applicant Mr Barton addressed the Committee, policies supported the application, the dwelling would allow our disabled son to be part of the family. Five years had been spent looking for a suitable property, but it seemed the only option was to build near to the families support system.</p>	<p>Members received a report that sought planning permission to build a four-bed dwelling.</p> <p>Members heard from the applicant the reasons for wanting to build the property.</p> <p>Councillors asked about the noise from the Village Hall, the officer pointed out that the Parish Council were concerned that it would affect the occupants of the new property, but this had been taken into account and so the house would be angled to alleviate the problem.</p> <p>Councillor Addison moved and Councillor Sims seconded the application. Subject to the following conditions</p>

(Voting: For 8; Against 0)

The application was therefore **AGREED**

Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans as listed below in the 'Schedule of Plans' unless alternative details have been subsequently approved following an application for a non-material amendment.

Reason: To specify the permission and for the avoidance of doubt.

3. Samples of the materials to be used in the construction of the dwellings; boundary walls/fences and hard surfaced areas; and full details, at a scale of 1:20 of the new joinery, doors and windows shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory and its relationship with the wider area, in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The noise mitigation/ventilation measures outlined in chapter 6 of the report reference P5667-R1-V1 dated 26th August 2022 by Noise Air or agreed equivalent shall be implemented in full before occupation of the proposed dwelling. Following completion, no alterations shall be made to the approved structure of the units including roof, doors, windows and external facades, layout of the units or noise barriers without prior written approval from the Local Planning Authority.

Reason: In the interest of residential amenity

5. A 2m close boarded wooden fence to comply with BS 1722-5:2006+A1:2018 'Specification for close-boarded fences and wooden palisade fences', shall be erected on the boundary line surrounding the proposed development

Informative: The fence shall be constructed of good quality timber (with a board mass of 10-15 kg/m², and no warping, knot holes or damage) of at least 20mm (ideally 25mm) thickness in all places, including where the boards overlap. Boards should continue across the front of posts to minimise gaps and wide overlaps (minimum 25mm is recommended), allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time.

Reason: In the interest of residential amenity

6. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
 - Parking of vehicle of site operatives and visitors
 - routes for construction traffic
 - Site HGV delivery / removal hours to be limited to between 10:00 – 16:00 unless otherwise
 - approved as part of the CMP.
 - Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
 - pedestrian and cyclist protection
 - proposed temporary traffic restrictions
 - arrangements for turning vehicles

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

Informatives

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework 2021 to work with the applicant in a

positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Joint Core Strategy Adopted July 2016, Part 2 Local Plan For Corby Adopted September 2021, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

66. CLOSE OF MEETING

The meeting closed at 7:18 pm.

_____ Chair

_____ Date



**NORTH NORTHAMPTONSHIRE COUNCIL AREA PLANNING COMMITTEE
(CORBY AREA)
Wednesday 16th November 2022.**

Application Number:	NC/22/00332/DPA
Case Officer:	Fernando Barber-Martinez
Location:	23 Sutherland Road, Corby, NN18 9LU.
Development:	Change of use from Use Class C4 HMO (House in Multiple Occupation) 6 persons- to Sui Generis HMO 9 Persons.
Applicant:	Mr Amar Sadarangani
Agent:	Mr Leonard Hawkins
Ward:	Kingswood Ward.
Overall Expiry Date:	Agreed extension of time until 25th November 2022.

List of Appendices

None.

Scheme of Delegation:

This application is brought to Committee because a material written objection has been received from a statutory consultee (Corby Town Council) that is contrary to the Officer recommendation and cannot be resolved through negotiation.

1. Recommendation:

1.1 That Planning Permission be GRANTED subject to planning conditions.

2. The Proposal

2.1.1 The proposal is for the proposed change of use from the present Use Class C4 6 person HMO (House in Multiple Occupation) to a 9 Person (6 bedroom) Sui Generis HMO within the fabric of the existing property namely involving the following internal accommodation arrangements which have already been implemented for a 6 bed roomed property. The proposal in essence is to increase the occupancy of the property from 6 residents to 9 residents. As of 05.10.2022 the agent advises that there are 2 residents in-situ.

[Sui Generis means 'in a class of its own'.]

2.1.2 The proposed internal layout is detailed on drawings as:

Ground floor: Communal Eating Area/Kitchen with a 4-chair table, 2 cookers, 2 sinks, large fridge, worktops/storage.

10.8 sq. m [corrected figure] bedroom (2 person) with ensuite shower/toilet (this does not meet the recommended space standard of a minimum 11.5 sq. metres for a 2-person bedroom by approximately 0.7 sq. metres).

12.4 sq.m bedroom (2 person) with ensuite shower/toilet.

First Floor:

9.8 sq.m bedroom (1 person) no ensuite toilet/shower.

8.9 sq.m bedroom (1 person) with ensuite shower/toilet.

10.0 sq.m bedroom (1 person) with ensuite shower.

Shared 2x washing machines.

Shared Toilet/ Shower room.

Attic Space:

17.5 sq.m bedroom (2 person) with ensuite shower and toilet.

2.1.2 This Council's Private Sector Housing Team advised on 7th September 2022 that there are 2 HMOs on Sutherland Road [Nos 17,44], 2 on Blake Road [Nos 21,25] and no HMOs on Stokes Road.

2.1.3 The planning application has been accompanied by a design and access statement and parking stress table (a spreadsheet of available car-parking in the vicinity of the proposal). Additional drawings indicating the siting of outdoor bins and car-parking has also subsequently been received.

2.1.4 The agent advises that the present 6 person C4 use commenced on 15 January 2022 (which is permitted in planning law). There are two off road parking spaces available for use by residents. Also proposed are 3 cycle storage sheds to the side of the property, along with a 9 'wheelie' bin storage area to the side of the rear garden area.

2.1.5 The agent also advises that the relevant Building Control certification has been obtained along with the relevant fire safety inspections.

3. Site Description

3.1.1 The site is located along Sutherland Road, being accessed from the busy Gainsborough Road (to the north) via Blake Road. Sutherland Road is a one-way road which for the greater part comprises a 2-carriageway width (one of which is used for on street car-parking for residents). Approaching the application site by car, the carriageway width decreases to a single carriageway width with narrow pavements either side - with residents using off road parking availability within their property.

3.1.2 The application site itself is a semi-detached former dwellinghouse (C3) of brick and tile construction on a residential estate from around c1950's era. The site already has a vehicle access from Sutherland Road leading onto a hardstand area with an amenity area to the side of the property, and a garden area to the rear. This is due south of Corby town centre and is within walking distance.

3.1.3 The adjoining dwelling (of the pair) is No.21 Sutherland Road, while a block of dwellings/flats lies to the eastern boundary of the application site namely No4-14 (evens) on Stokes Road (which is found at the end of Sutherland Road).

4. Relevant Planning History

4.1.1 No recent or relevant planning history.

5. Statutory Consultation Responses

Internal

5.1.1 Highway Engineer

In respect of the above planning application, the local highway authority (LHA) has the following observations, comments, and recommendations: -

Observations: 1. Revision B of the Proposed Block Plan is noted. The car parking spaces are required to be a minimum of 2.5m wide by 5m long. It is thought therefore two vehicles may be able to park off street with the remaining **four** on-street.

2. The Parking Beat Survey results are now viewable. Whilst the cul-de-sac of Sutherland Road shows excessive stress, the rest of Sutherland Road and Blake Road is likely able to take the parking requirements associated with the increase in bedrooms, bearing in mind also the proposed off-street parking.

The application site is not affected by a Public Right of Way.

Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a Public Right of Way.

[Typo corrected in email from Highway Engineer dated 03/10/2022]

5.1.2 Environmental Health

Thank you for consulting me on this application, on behalf of Environmental Services I have no objection to make but would recommend the following be attached as an informative, should consent be given;

Acoustic separation (all domestic dwellings) - informative

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

Reason: In the interest of residential amenity.

5.1.3 Private Sector Housing (HMO Team)

Notified.

Advertisement/ Representation

5.2.1 The Case Officer visited the site on Friday 19th August 2022 and again on Wednesday 14th September 2022. A Site Notice was posted on Friday 19th August 2022.

5.2.2 Neighbours were consulted on 17th August 2022, and to date no letters of objection have been received.

The following is a link to representations made online:

<https://publicaccess.corby.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

5.2 3 Corby Town Council

Objection. At a meeting of Corby Town Council, it was RESOLVED to OBJECT to the application as follows: 'The impact of the parking opportunities in the area, particularly at the front of the property. We would also ask that any fire safety concerns are addressed by Building Control. We are also concerned regarding the environmental impact on surrounding properties e.g., increased refuse.

5.2.4 Crime Prevention Officer (Police):

Thank you for consulting Northamptonshire Police with this Change of Use application to Sui Generis, HMO for 9 Persons.

I have read and studied the submitted documents for this application and in relation to designing out crime and whilst being commensurate with risk make the following comment:

Northamptonshire Police have no objection or comment to make with the application in its present form.

5.2.5 Fire Protection Officer (Fire and Rescue Service)

As of October 2006, with the introduction of the Regulatory Reform (Fire Safety) Order, fire certificates are no longer issued.

Emergency escape windows can only be located where the floor which the window serves is a maximum of 4.5m above ground level, as stated in section 2.2 of Approved Document B Volume 1.

6. Relevant Planning Policies and Material Considerations

6.1.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it. The 'development plan' comprises the North Northamptonshire Joint Core Strategy 2016 and Part 2 Corby Local Plan 2021. The National Planning Policy Framework 2021 is a material consideration.

6.1.2 National Planning Policy Framework (NPPF) (2021)

Of relevance within the NPPF can be found: -

Paragraph 130: *“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”***

Chapter 2 Achieving Sustainable Development;

Chapter 9 (Promoting Sustainable Transport);

Chapter 12 Well Designed Places.

6.1.3 North Northamptonshire Joint Core Strategy (adopted 2016)

Policies 1 (sustainability), Policy 8 (place shaping principles) and Policy 11 (network of urban and rural areas).

6.1.4 Part 2 Corby Local Plan (adopted 2021)

No relevant planning policies or planning constraints.

6.1.5 Neighbourhood Development Plan

There is no emerging neighbourhood development plan of any material weight in decision making.

6.1.6. DCLG (2015): Technical Housing Standards- nationally described space standard

This document contains internal space standards (requirements) for new dwellings and new flats (namely a minimum space per room of 7.5 sq.m metres for a 1-person bedroom, and 11.5 sq.m metres for a 2-person bedroom).

7. Evaluation

Key Determining Issues:

- Principle of Development;
- Impact on the Character of the Area;
- Neighbouring Amenity and Amenity of Occupants;
- Highway Safety;
- Other Matters.

7.1 Principle of Development

7.1.1 Policy 8 of the Core Strategy is concerned with place shaping principles for new development such as creating pleasant streets and spaces, distinctive local character. Plus ensuring quality of life and safe and healthier communities by protecting amenity and designing out crime and anti-social behaviour. Policy 11 of the Core Strategy directs new residential development to within existing urban and rural settlements in the interests of sustainable development.

7.2. Impact on the Character of the Area

7.2.1 There are no design changes to the existing elevations of the building which means that the appearance of the semi-detached property is retained. In terms of the use, it involves a change from a 6 person HMO (which is allowed under Class C4) to a 9 person HMO- this being 'in keeping' with the wider residential character of Sutherland Road. The present parking arrangement would remain as is (the third parking space identified by the applicant in practice being unusable due to the alignment of that space). This former dwellinghouse is being used as a 6-person unit of accommodation without the need for planning permission as that use (C4) is already permitted in planning law. Two residents are currently in occupation (as of 5.10.2022).

7.2.1 The resulting activity associated with of up to 9 occupants (residents) from the site is unlikely be overly discernible in the street in terms of noise and disturbance (amenity) when

compared with a single family dwellinghouse used at capacity. Therefore, it is considered that the impact on the relatively quiet character of the area in Sutherland Road and immediate environs is likely to be neutral rather than adverse.

7.3 Neighbouring Amenity and Amenity of Occupants

7.3.1 The proposal will allow for up to 9 occupants using the property (in that occupancy can be variable) compared with up to 6 residents in a C3 (dwelling) or C4 use. This needs to be balanced against the fact that the occupiers will have adequate internal amenity, plus access to a good-sized rear garden area. There will be two parking spaces (at the front of the property), and nearby on road parking for residential purposes. Therefore, the use is unlikely to give rise to an adverse impact on neighbouring amenity through additional noise. Plus, there is no new external building work proposed so there will be no change to current levels of daylight, sunlight, or privacy to immediate neighbours. There is an intensification of the residential use of the property when compared to former single family dwellinghouse and consequently more associated activity. However, in this instance the impact upon local residential amenity would not be substantive (nor adverse) in this case.

7.3.2 In terms of the amenities of the occupants - a communal kitchen/dining area is being provided and the bedrooms have ensuite or shared toilet and bathing facilities. One 2-bedroom room (on the ground floor) is only slightly below the threshold standard (by 0.7 sq.m m) and the acceptability of this is based upon a separate license (issued by the Private Sector Housing Team) There is also reasonably sized rear garden area for outdoor use by residents when needed. Plus, there is no objection to the proposal by this Council's Environmental Health in respect of noise and insulation. The proposed HMO is considered to comply with Paragraph 130 of the National Planning Policy Framework in terms of both quality of design and amenity (for neighbours and residents) over the lifetime of the development, and Core Strategy Policy 8.

7.4 Highway Safety

7.4.1 The roads and pavements leading to the site are to a relatively modern standard in terms of road width, and provision of footpaths for pedestrians. In that respect access to the site on foot and by bicycle or car is safe, particularly from the nearby Corby town centre.

7.4.2 In terms of technical requirements (highways) – to meet the parking standard the proposal would require 6 car parking spaces to be provided (one for each bedroom not person). Two car parking spaces can be provided within the existing curtilage and there are no on-street parking restrictions nearby. A Parking Stress Survey undertaken for the applicant (Wednesday 4th May 2022) indicates that there is satisfactory on road parking availability - in that the additional 4 on road parking space capacity could be found within easy walking distance of the application site. On this point this Council's Highway Engineer raises no objection to the proposal on highway safety and parking provision (car and bicycle).

7.5 Other Matters

7.5.1 HMOs in general can result in environmental issues, whilst there is national HMO guidance, there is presently no specific development plan policy and no supplementary planning guidance specific to this type of proposal which would thereby give a specific criterion for the assessment of HMOs. If permission is to be granted there are safeguarding conditions and separate housing licensing procedures to ensure proper HMO management. On this basis, the amenities of both prospective occupiers and neighbours' amenities who may reside in the locality will accordingly be protected. HMO planning policy is being considered as part of the ongoing Core Strategy Review. The planning application remains to be determined on its merits.

7.5.1 Corby Town Council raises matters regarding bin storage, and on this matter the agent has identified an area to side of the property for up to 9 'wheelie' bins comprising 3x recycling, non-recycling, and garden waste. This is acceptable, and a planning condition will require the precise siting of the bins when not out for collection.

7.5.2 The relevant non planning Building Regulation approvals for internal partitioning have been obtained along with fire safety inspections recently undertaken.

8. Conclusion

8.0.1 The proposal will provide small units of residential accommodation with shared kitchen and other essential facilities within the property. Subject to safeguarding planning conditions and the separate licensing management it is not considered that there would be any substantive adverse amenity, highway safety or local character concerns. The proposal accords with National Planning Policy Framework (2021) and the relevant policies of the North Northamptonshire Joint Core Strategy (adopted 2016).

9. Recommendation

9.1 For all the reasons considered above and weighing up the policies of the North Northamptonshire Joint Core Strategy (2016) and other material considerations it is recommended that planning permission is granted subject to the conditions set out below.

10. Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this application.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in writing to discharge other conditions attached to this decision.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northampton Joint Core Strategy.

3. The cycle storage area (detailed on Drawing PL.01 Revision B received 13th September 2022) shall be provided on site within 3 months from the date of this planning permission, and thereafter retained for the storage of cycles.

Reason: In the interests of promoting alternative forms of travel in accordance with Policies 1 and 8 of the North Northamptonshire Joint Core Strategy (adopted 2016).

4. The bin storage area (detailed on Drawing PL.01 Revision B received 13th September 2022) shall be provided on site within 3 months from the date of this planning permission, and thereafter retained for the storage of bins.

Reason: In the interests of promoting alternative forms of travel in accordance with Policies 1 and 8 of the North Northamptonshire Joint Core Strategy (adopted 2016).

INFORMATIVE NOTE:

1. Acoustic separation (all domestic dwellings) - informative

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

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