



**NORTH NORTHAMPTONSHIRE COUNCIL AREA PLANNING COMMITTEE
(CORBY AREA)
Wednesday 24th August 2022.**

Application Number:	NC/22/00191/DPA
Case Officer:	Fernando Barber-Martinez
Location:	50 Croyde Avenue, Corby, NN18 8EG
Development:	Change of use from C3 dwelling house to 8 Person Sui Generis House in Multiple Occupation (Retrospective).
Applicant:	Mr Amar Sadarangani
Agent:	Mr Leonard Hawkins
Ward:	Kingswood Ward.

Overall Expiry Date:	12th July 2022 (AET until 31.08.2022).
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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 retrospective change of use from C3 dwelling house to 8 Person Sui Generis House in Multiple Occupation (Retrospective) within the fabric of the existing dwelling namely involving the following internal accommodation arrangements which have already been implemented forming a 5 bedroomed property:

Ground floor: 2 Separate Bedrooms with ensuite shower/toilet, kitchen area leading to separate 6 seat galley eating area. (Floor space 10.8 sq. m, 8,8 sq. m and 17.9 sq. m respectively).

First Floor: 3 bedrooms (2 ensuite toilet and shower, 1 without ensuite but using shared toilet on same floor) (Floor space 7.0 sq. m, 11.1 sq. m and 13.5 sq. m respectively).

2.1.2 There is an existing outdoor wooden shelter area with seating underneath and a cycle storage area in the rear garden area.

2.1.3 This Council's Private Sector Housing Team advised on 17.06.2022 that there were 4 other licensed HMO's in Croyde Avenue.

2.1.4 The planning application has been accompanied by a design and access statement and parking beat survey (of available car-parking in the vicinity of the proposal).

3. Site Description

3.1.1 The site is located south- east of Corby town centre accessed off Oakley Road via the Cecil Road and Burghley Drive entry points into the residential estate. This comprises a mid-terrace former dwelling -which has parking for two cars on the frontage area, and a very long rear garden backing onto undeveloped land.

3.1.2 Croyde Avenue is traffic calmed with occasional speed humps (raised surfaces). Parts of Croyde Avenue are one way traffic but is two way traffic in the vicinity of the application site.

4. Relevant Planning History

4.1.1 There are a number of recent planning applications that have been withdrawn (i.e. not decided by the Local Planning Authority) made by the same applicant (Mr Sadarangani) these being:-

NC/21/00395/DPA Rear Single Storey Extension and Change of Use C3a Dwellinghouse to Sui Generis House in Multiple Occupation (HMO) with up to 9 tenants (withdrawn).

NC/21/00359/DPA Single Storey Extension (withdrawn).

NC/21/00237/DPA Two Storey Extension ((withdrawn).

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: -

1. The LHA note the application is retrospective with works completed and have no objections in principle.
2. The LPA must satisfy itself as regards cycle 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.

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 informative be attached 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.

5.1.3 Private Sector Housing

Notified.

5.1.4 Housing Strategy Officer

Thank you for providing an opportunity to comment on this planning application. With all HMO planning applications, we would request you consult with Private Sector Housing in the first instance. However, I have provided some comments below:

Houses in Multiple Occupation play an important role in housing people who do not meet the higher priority criteria of social and affordable housing. They are also an important tenure that is widely used as interim accommodation whilst seeking a more settled housing option and therefore their place in the housing market is important.

However, by their nature they tend to be transient tenures that can often only last for a few months, so when delivered in bulk can have an unsettling impact on a community.

Having researched the contents of HMOs in the Exeter Estate area where this proposed HMO is, it was noted that there is already 4 HMOs within a few doors away. Therefore, whilst remaining open to be convinced that this unit would not have a detrimental impact, it does seem excessive for such a small area to add another to the community, considering the wider estate also has 22 licensed HMOs dotted around it.

Advertisement/ Representation

5.2.1 The Case Officer visited the site on Friday 8th July 2022. A Site Notice was posted on Friday 8th July 2022.

5.2.2 Neighbours were consulted on Wednesday 29th June 2022, and to date 3 letters of objection representation (5 in total but 2 duplicates) have been received raising the following points:

- Increase in traffic;
- Overdevelopment of the site;
- Parking problems;
- Possible problems with noise;

- Many HMO's already in Croyde Avenue;
- Noise and potential anti-social behaviour (especially at night);
- Safety of children playing from increased traffic;
- Against planning policy (policies not specified);
- Stress of repeat planning applications at the same site;
- Amenity;
- There are 6 HMO's already in Croyde Avenue [note there are 4]

The following is a link to representations made online:

<https://publicaccess.corby.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=RC18DKFFGSZ00>

5.2 3 Corby Town Council

Thank you for the extension of time to comment. At a meeting of Corby Town Council held on 4th July, it was RESOLVED to OBJECT to this application due to the increase in noise, the increased pressure on parking and the suitability of the area which is predominantly single occupational use. The fact that this application is retrospective should be taken into account when the decision is made, and planning conditions imposed.

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)

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 for new dwellings and new flats.

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 The gist and thrust of planning policy is that Policy 8 of the Core Strategy provides place shaping principles for new development such as pleasant streets and spaces, distinctive local character and ensuring the 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 changes to any of the existing elevations of the building which means that there is no visual change to the appearance of this mid terraced property in its change from a dwellinghouse to an 8 person HMO- this being 'in keeping' with the wider residential character of Croyde Avenue. The former dwellinghouse could potentially be used as a 6-person unit of accommodation (as a planning fallback position) without the need for planning permission as that use (C4) is already permitted in law. The comparative comings and goings of up to 8 occupants from the site is unlikely be overly discernible in terms of noise and disturbance when compared with an ordinary dwellinghouse used at capacity. Therefore, it is considered that the impact on the quiet character of the area in Croyde Avenue and immediate environs is likely to be neutral rather than adverse.

7.3 Neighbouring Amenity and Amenity of Occupants

7.3.1 The comings and goings of up to 8 occupants using the property (in that occupancy can be variable) , outdoor long rear garden area and existing two space parking (at the front of the property), and nearby on road parking for residential purposes is unlikely to give rise to an adverse impact on neighbouring amenity through additional noise, and as there is no new external building work proposed this does not give rise to any adverse loss of daylight, sunlight or privacy to immediate neighbours as there is no quanta of new development in terms of built form.

7.3.2 In terms of the amenities of occupants themselves - a kitchen area is being provided and the bedroom, toilet and bathing facilities. No objection to the proposal has been raised by this Council's Environmental Health Officer. This is in line with Paragraph 130 of the National Planning Policy Framework in terms of quality of design and amenity over the lifetime of the development.

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) – the proposal requires 5 car parking spaces to be provided (one for each bedroom not person). This cannot be provided within the existing curtilage – as there is only presently two (off road) car parking space available. A Parking Beat Survey undertaken indicates that there is satisfactory on road parking provision that the additional 3 on road parking space capacity could be found within easy walk 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). At the time of the Case Officer's site visit there was one car parked on the driveway.

7.5 Other Matters

7.5.1 While the proliferation of HMOs in general is a genuine planning concern, there is presently no development plan policy specific to that nature of proposal which would thereby give a specific criterion for the assessment of HMOs- particularly in relation proliferation of HMOs within a defined neighbourhood area. This aspect is being looked at as part of the review of the Core Strategy by the planning policy team. The planning application remains to be determined on its merits.

8. Conclusion

8.0.1 The proposal will lead to additional occupants' accommodation within to this mid-terraced former dwelling without any adverse amenity, highway safety or local character concerns. This accords with the relevant development plan policies, and the recently issued National Planning Policy Framework (2021).

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 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 received 17.05.2022 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).

INFORMATIVE NOTES(S)

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.