

**NORTH NORTHAMPTONSHIRE AREA PLANNING COMMITTEE (CORBY AREA)
21st October 2021.**

Application Number:	NC/21/00308/DPA
Case Officer:	Fernando Barber-Martinez
Location:	14 Stanion Lane Corby NN18 8ES
Development:	First Floor rear extension and change of use class from C3 dwelling house to a sui generis use (house in multiple occupation) for up to 15 residents (amended description).
Applicant:	Mr Amar Sadarangani/ Billetstaff.
Agent:	Mr Leonard Hawkin.
Ward:	Corby Rural.
Overall Expiry Date:	29th October 2021 (Agreed extension of time).

List of Appendices

None

Scheme of Delegation:

This application is brought to Committee because it falls outside of this Council's scheme of delegation being an application for development which in the opinion of the relevant senior planning officer should be referred to the relevant Planning Committee.

1. Recommendation:

1.1 That planning permission be REFUSED.

2. The Proposal

2.1.1 The proposal was originally described as:

“The application seeks to obtain approval for change of use class from C3a dwelling house to C4 house in multiple occupation. The proposal entails the rearrangement of a few internal partitions in order to accommodate six en suite bedrooms, two bedrooms each with separate bathrooms within two metres for exclusive use and a large kitchen.”

2.1.2 To clarify the description was a misnomer and this proposal is for up to 15 tenants in 8 bedrooms which is a ‘sui generis’ use.

2.1.3 On 14/09/2021 additional drawings were submitted in relation to the proposed first floor extension required to accommodate some of the proposed change of use area. This was in the form of elevational drawings which detail a simple matching materials and pitched roof arrangement with a new side window.

2.1.4 As of 27/08/2021 there are no Houses in Multiple Occupation (HIMO’s) registered in Stanion Lane (data courtesy of Council’s Private Housing Sector Team). There are presently 14 dwellings on that street.

2.1.5 Proposed drawings internally detail 3 new bedrooms at ground floor level (10.8 sq m, 13.0 sq m and 12.3 sq metres) with a large, shared kitchen. In addition, a further five bedrooms at first floor level are shown (13.2 sq m, 9.0 sq m, 11.0 sq m, 10.9 sq m and 10.5 sq m) with separate toilet facilities. Obscured window glazing would be provided at first floor on the side elevation facing the bungalow to the (side)south.

2.1.6 In total 8 bedrooms would be provided internally (presently a 4-bed dwelling) toilet, bathroom, and kitchen facilities (some shared some en-suite). The applicants supporting statement states up to fifteen people (tenants) would be able to live with the building. CCTV surveillance of the site and some parts inside the building would be provided on a 24 hour, 7 days a week basis.

2.1.7 The applicants supporting statement also describes that 5 inline car parking spaces would be provided and available to the rear of the property (accessed off Toll Gate Place-detailed on Drawing PR.01 in order to address the Highway Engineer’s initial concerns. In addition, 3 wooden sheds would be provided to store up to 15 bicycles in the rear yard.

2.1.8 Supporting information on the characteristics of the applicant’s proposed business model by way of “Billetstaff” occupants has been provided stating typically 1 on 7 Billetstaff occupants in the Corby area presently have access to a car. The Billetstaff tenancy agreement will have a clause limiting one car per bedroom. The applicant envisages that tenants will be employed on the Midlands Logistics Park

(some ½ mile away). There is a bus stop some 40 metres to the north on the dual carriageway less than a minute walk from the site.

3. Site Description

3.1.1 The site comprises a two-storey dwelling finished in render and brick to elevations, and a tiled roof.

3.1.2 The house sits on elevated land to which steps from the road (Stanion Lane) are found. Stanion Lane itself has a variety of buildings including a c19 terrace (to the north on the opposite side of the road), and is a cul-de-sac, probably annexed by the dual carriageway to the north in more recent years, beyond which to the north lies a parish church and the southern edge of Old Corby Village Conservation Area.

3.1.3 To the immediate south lies a bungalow on Stanion Lane. Beyond the rear boundary lies new dwellings off Waterside Lane (a modern residential development site). To the north-west lies a complex of flats with garages on Toll Gate Place accessed off the dual carriageway.

3.1.4 Existing parking is to the roadside on Stanion Lane for most of the dwellings on Stanion Lane.

3.1.5 Stanion Lane is not in a Conservation Area- this lies to the north on the opposite side of the dual carriageway.

4. Relevant Planning History

4.1.1 None relevant to this particular proposal.

5. Statutory Consultation Responses

Internal

5.1.1 Environmental Health

No objection. Advise an informative note as follows: (if permission is granted).

Houses in Multiple Occupation - informative

All privately rented properties that provide accommodation for 2 or more households, comprising of a total of 5 or more persons (including any children, regardless of age), who are not related to each other, will be subject to the extended mandatory House in Multiple Occupation (HMO) Licensing Scheme under The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 and the Housing Act 2004, Part 2, Section 61.

For an application please call Private Sector Housing 01536 464055.

Please be aware that a penalty of up to £30,000, plus a repayment of rent Order, may be imposed if a landlord is operating a licensable HMO without a licence.

5.1.2. Highway Engineer

Original Comments

Further information requested to support the proposals. 1. The proposal will result in a HiMO with x8 1 bedrooms. From Northamptonshire Parking Standards (2016), C4 (HiMO) requires: a. Car: 1 space per bedroom – 8 required. b. Cycle: 1 secure, covered space per bedroom – 8 required. 2. No cycle parking is detailed. It should be covered, secure, overlooked, and easy to use, with a minimum 1.2m clear access including gate widths. No lifting of cycles should be required. Cycle parking for dwellings should not involve having to pass through the dwelling to access it. The figure below provides standard dimensions to be adhered to for a shelter with Sheffield Stands. 3. As regards car parking, it is thought currently and for the C4 use, all car parking would be on-street. It is not clear how many bedrooms exist within the current C3 dwelling and thereby how many more car parking spaces the C4 use would require. If the existing dwelling has 2/3 bedrooms, it would require 2 car parking spaces hence the change of use requires a further 6 spaces. If the existing dwelling has 4+ bedrooms, it requires 3 car parking spaces and so the change of use requires a further 5 spaces. The LPA will need to satisfy itself a further 5/6 spaces can be achieved on street within a 200m walking radius from the site. If deemed necessary, a Parking Beat Survey could be sought. The full requirements of the survey are provided below. Parking Beat Survey This is to determine if any car parking spaces are available, within 200m of the site. It must be minded that a minimum clear carriageway of 3.7m must be maintained for a Fire Tender, where parking is on both sides of a street. If this cannot be achieved, the LHA cannot agree that the street can be parked on from both sides.

Update Comments following receipt of Additional Information Requested

On car parking, a provision of 5 spaces to the rear, accessed via a private road off Toll Gate Place is noted. They would need to be 3m wide, widened to 3.3m if adjacent to a solid side boundary e.g. wall/fence/hedgerow. They would also need to be 5m in length. This would therefore mean a further 3 spaces are required. Subject to the parking bays on site being to the above dimensions and noting the proposed clause to limit the tenants to 1 car respectively and the proximities to bus stops on Weldon Road & Geddington Road, I would not think a Parking Beat Survey is needed as 3 spaces essentially equates to the parking requirements of the existing development. However, as previously advised, the LPA should take a view on this.

On cycle parking, the proposed sheds are noted and again the LPA will need to satisfy themselves with the proposed layout. The advantage of Sheffield Stands over what is proposed could be that a person would not need to potentially remove other people's/tenants' bikes to get access to theirs.

Advertisement/Representation:

5.2.1 The Case Officer visited the site on Monday 26th July 2021. A Site Notice was posted on 26th July 2021. A re-consultation exercise took place on additional information on 15/9/2021 with a second Site Notice posted 21 Sept 2021.

5.2.2 Neighbours were consulted on 21st July 2021 and again on 15th September 2021, and to date 20 letters of objection have been received raising the following issues:

- Character of the area would change;
- Increase in traffic and parking demand from 15 residents;
- Anti-social behaviour/ character of occupants;
- Profiteering;
- Additional bin storage would be required;
- Amenity;
- Character of Conservation area;
- Design/Appearance;
- Detriment to the visual amenity;
- Highway considerations;
- Increase in traffic;
- Parking (shortage already caused from the neighbouring housing development on Toll Gate Place (to the immediate north-west).
- Possible problems with noise
- Not fair on neighbours having a HIMO in the street.

Corby Old Village Neighbourhood Association (COVNA) (email): I have been asked by residents to object to this HMO application on their behalf. Objection is centred around parking issues - street cannot accommodate up to 15 cars for the 15 residents. Historically HMO's have caused issues for neighbours with anti-social behaviour and noise disruption. This is a quiet established street with character private residential homes, which will be devalued by this HMO. HMO residents will not take care of this property and the owner is Southern based, not Corby! Waste Disposal - 15 people create a lot more rubbish.

A formal letter was subsequently submitted by COVNA.

5.2.3 Crime Prevention Officer

Northamptonshire Police have no formal objection to the planning application in its present form other than to strongly suggest that the following recommendations are included, which if implemented will reduce the likelihood of crime occurring:

- In addition to building regulation and fire safety requirements the following should apply:
Ideally the doorsets used to access bedrooms from communal areas should be dual certified for both fire and security. A minimum requirement is that a bedroom doorset must meet building/fire safety regulations with the locking arrangement being multi-point or a certified BS lock fitted with internal thumb turn. Note: Only doorsets supplied as a complete product from a single source deliver the performance standard for fire safety, security, thermal transmittance, and other criteria.
- The final exit door must also be fitted with an internal thumb turn release and any glazing within the door and any side lights adjacent to doors (within 400mm), must include one pane of laminated safety glass meeting the requirements of BS EN 356:2000 class P1A (minimum). This will help prevent manipulating any locks/handles after breakage.

6. Relevant Planning Policies and Considerations

6.1.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.1.2 National Policy

National Planning Policy Framework (NPPF) (2021)
in particular paragraph 130 (f) as follows:

*“... 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.**”*

6.1.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policies 1 (sustainability) Policy 8 North Northamptonshire Place Shaping Principles, 11(network of urban and rural areas)

Policy 30 (housing mix and tenure): *“Housing development should provide a mix of dwelling sizes and tenures to cater for current and forecast accommodation needs and to assist in the creation of sustainable mixed and inclusive communities. In particular: a) The mix of house types within a development should reflect i. The need to accommodate smaller households with an emphasis on the provision of small and medium sized dwellings (1-3 bedrooms) including, where appropriate, dwellings designed for older people; ii. The existing housing stock within the settlement or neighbourhood/ward in order to address any gaps in provision and to avoid an over-concentration of a single type of housing where this would adversely affect the character or infrastructure of the area. b) **The internal floor area of new dwellings must meet the National Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities.** In both affordable and market sectors, adaptable housing designs will be encouraged in order to provide flexible internal layouts and to allow for cost-effective alterations (including extensions) as demands and lifestyles change;”*

6.1.4 The emerging Part 2 Corby Plan (Adopted September 2021). Silent in that there are no specific policies related to this proposal.

6.1.5 Saved Corby Local Plan Policy P10(R): House Extensions.

7. Evaluation

The key issues for consideration are:

- Principle of Development;
- Impact on Character of the Area/ Neighbouring Amenity/
- Housing Tenure and Mix

7.1 Principle of Development

7.1.1 Policy 1 of the Core Strategy seeks to deliver sustainable development through the relevant policies in the plan. Policy 8 of the Core Strategy provides place shaping principles for new development such as safe and pleasant streets, a distinctive local character, and to protect amenity, and to design out crime and anti-social behaviour.

Policy 30 of the Core Strategy states in part – *“Housing development should provide a mix of dwelling sizes and tenures to cater for current and forecast accommodation needs to assist in the creation of sustainable and mixed communities.”*

The application property is situated within the development limits of Corby where alterations and changes of use to residential dwellings would be permitted subject to meeting other policy criteria set within the Adopted Local Plans and National Planning Policy Framework.

7.2 Impact on the Character of the Area/ Amenity

7.2.1 The enclosure of the present first floor balcony in permanent construction does not lead to a loss of amenity to adjoining dwellings. Obscured glazing is being provided for two first floor side elevation windows to limit the overlooking of the neighbouring rear garden(s) from residents in those rooms. This is acceptable in design and appearance on the host dwelling.

7.2.2 The dwelling presently has 4 bedrooms which technically could have up to six people living within the dwelling as a household (for the purposes of Use Class C3)- the buildings present Use Class. The possibility of up to 15 residents using the property (in a Sui- Generis use) would lead to a significant increase in the comings and goings to and from the property than would be the case for a house (as is presently the case). Although the visual character of the area would remain the same as there are no external changes to the front of the dwelling, it is considered that the settled, quiet character of the street with its mix of old and more recent dwellings would be adversely affected from the resulting intensification of use of the application building. The comings and goings would involve vehicular movements related to the proposed parking arrangements, as set out in the highways safety section below, as well as the coming and goings and day to day activities associated with the proposed number of occupants. The space standards provided within the proposed 8 bedrooms would appear to meet the relevant standards for the licencing of HMOs that would be separately considered under the HMO licencing regime.

7.2.3 Taking these factors into account, it is considered that the proposal is contrary to Paragraph 134 of the National Planning Policy Framework (2021) and Policy 8 of the Core Strategy in that the proposed use as bedsits/flats would lead to unacceptable intensification of use and overdevelopment of the building and application site resulting in a significant increase in comings and goings to the detriment of the amenity of existing residential neighbours and the existing character of the area.

7.3 Highway Safety

7.4.1 The dwelling presently has no off-road car-parking for what is a 4-bedroom property. This means that variable demand for on road parking exists which is entirely dependent on nature of the occupation of the building. In terms of technical highway requirements this would require the need to provide a further 5 car-parking spaces (or 8 in total) on present day standards for a 3 or 4 bed dwelling respectively.

7.4.2 In order to address the issue of parking the agent has identified a bay of 5, inline, parking spaces in the rear garden area accessed off Tollgate Place.

7.4.3 The site is located in an urban area, not far from Corby town centre, where travel on foot or by taxi or bicycle might be a reasonable travel option for the occupants of the proposed HIMO, given the location of a nearby bus stop (40 metres away) on the dual carriageway and nearby railway station (10 minutes' walk).

7.4.4 Technically the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy (2016) [CS] in that the proposal ensures parking provision in accordance with adopted (highway) standards designed to secure safe and pleasant streets, in that one space for each proposed bedroom has been provided (3 spaces for existing use of the road), a further five new spaces accessed from the rear of the site. Notwithstanding this, there are concerns, as set out in the preceding section relating to the impact of arrangements on the amenity of neighbouring residential occupiers.

8. Conclusion

8.0.1 The proposal to provide for an 8-bedroom (15 person) HIMO would help to deliver a specific type of housing in an urban location.

8.0.2. However, the proposed HMO will generate significantly more activity through both people and vehicle movements from the proposed intensification of use at this existing residential property which is considered would be detrimental to the settled, quiet character of Stanion Lane and the local area. This would also result in conditions detrimental to the amenities presently enjoyed by the existing residential neighbours.

In the circumstances it is considered that the application proposals are contrary to local planning policy and relevant provisions of national guidance and this is not overcome by other planning considerations.

9. Recommendation

9.1 That planning permission BE REFUSED for the following reason:

The proposal is contrary to Paragraph 134 of the National Planning Policy Framework (2021) and Policy 8 of the North Northamptonshire Joint Core Strategy in that the proposed use as an 8-bedroom 15 person property would lead unacceptable intensification of use and overdevelopment of the building and application site

resulting in a significant increase in comings and goings to the detriment of the amenity of existing residential neighbours and the existing character of the local area.