

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 14/02/2017</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Amy Prince Development Officer</b>	<b>Application No: KET/2016/0776</b>
<b>Wards Affected</b>	<b>All Saints</b>	
<b>Location</b>	<b>80 Rockingham Road, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Change of use from residential to 7 no. bedroom House in Multiple Occupation (for a maximum of 9 no. occupants)</b>	
<b>Applicant</b>	<b>Mr &amp; Mrs S Percival</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details as listed below.

REASON: To secure an appropriate form of development in the interest of the amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The development hereby permitted shall be occupied by a maximum of nine occupants.

REASON: In the interest of amenity for the occupants of the development and neighbouring properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plan KET/2016/0776/1A received 20.01.16 and shall thereafter be set aside and retained for those purposes.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joints Core Strategy.

5. Prior to the commencement of the use hereby permitted, full details of the secure and covered cycle parking shall be submitted to and be approved in writing by the Local Planning Authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be permanently maintained.

REASON: This information is required prior to the use commencing In the interests encouraging sustainable modes of transport in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

6. Other than on collection day the bins shall be stored in the 'bin storage area' in accordance with the approved plan KET/2016/0776/1A received 20.01.16 which shall thereafter be set aside and retained for that purpose.

REASON: In the interests of visual amenity and highways safety in accordance with Policy 8 of the North Northamptonshire Joints Core Strategy.

## **Officers Report for KET/2016/0776**

This application is reported for Committee decision because there are unresolved material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

None

#### **Site Description**

Officer's site inspection was carried out on 11/01/2017.

The application site is located to the north of Kettering within the designated town boundary on a main route into the town centre. The site sits on a corner plot of Rockingham Road and Wood Street.

The application site contains a large double fronted semi-detached residential dwelling which is constructed of a traditional red brick with a brown tiled roof with dormer windows.

The site has large garden areas wrapping around the return frontage, this area has a large hedge over a dwarf blue/grey brick wall around the Rockingham Road frontage and a 1.6m red brick wall along Wood Street which increases in height to over 2m where it meets an electronic security shutter which acts as a gate into an existing gravelled parking area.

#### **Proposed Development**

This application seeks permission for the change of use from a residential dwelling to a House in Multiple Occupation. Through the application process the applicant has reduced the proposed number of residents from 12no. to a maximum of 9no. occupants.

#### **Any Constraints Affecting the Site**

A Road

### **4.0 Consultation and Customer Impact**

#### **Local Highway Authority (LHA)**

No objections on revised site plans subject to the following conditions if required.

- Access route widening and maximum gradient
- Visibility splays
- Parking area to be retained permanently
- Full details of bike storage
- Positive drainage away from the highway
- Prevent mud on the road.

#### **KBC Environmental Health**

Comments received – No objection subject to a noted being added in relation to acoustic separation.

#### **KBC Environmental Care**

*No comments received*

#### **Northamptonshire Fire and Rescue**

*No comments received*

#### **KBC Private Sector Housing**

Comments received – No concern with the original submission. Owners have worked closely with KBC Private Sector Housing to ensure all DASH space and amenity guidelines are met.

### **Neighbours**

Notification letters were sent out to neighbours in close proximity and a site notice was erected at the site; 2 Objections were received on the follow matters:

#### 82 Rockingham Road*(the following comments were received in regard to the original application for 12 occupants)*

- Adjoins to a property (No.82) used to look after young children for Northamptonshire County Council Social Services. Increase risk to these vulnerable children due to increased numbers of occupants
- Shared attic space with No.82 which increases security risk to children
- Request for CCTV
- Noise disturbance from increase occupants through the attached walls
- Increase in occupants will cause issue with old linked sewage system
- Owner is out of the country – concerned with property management
- Concerned with the amount of refuse with 12 occupants
- Concern regarding parking onsite and impact on the local road parking
- Concern regarding fire safety

#### 107 Rockingham Road

- Concern regarding lack of parking on site which will put additional pressure on street parking
- Increased noise and disturbance to local neighbours
- Decrease privacy from more residents in rooms overlooking bedrooms.
- Concern that the HMO will mean the property degenerates and will look out of character with the area

Through the application process the applicant has submitted a revised Block Plan, reduced the proposed number of occupants from 12 to 9 residents and provided additional supporting information.

At the time of writing this report additional consultation is underway which will end prior to the date of the Planning Committee. Additional comments received through this consultation will be reported to Members via the Committee Update.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 8. Shaping Places

Policy 15. Well-connected towns, villages and neighbourhoods.

Policy 28. Housing Requirements

Policy 29. Distribution of new homes

Policy 30. Housing mix and tenure

### **Saved Local Plan**

35 – Housing: Within Towns

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety
5. Refuse collection and storage
6. Other matters raised

### **1. The Principle of Development**

The application site is in an established residential area to the north of Kettering.

Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Kettering is a 'Growth Town' and, therefore, should provide a focal point for development.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of residential development provided there is no adverse impact on character and appearance, residential amenity and the highway network.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

### **2. Character and Appearance**

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character

There are no external changes to the existing property so there will be no impact on the character and appearance in relation to surrounding development and the wider street scene. This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

### **3. Residential Amenity**

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

The application site is a two and a half storey semi-detached dwellinghouse on a main route into the centre of Kettering. The proposed floor plans indicate internal accommodation of five double rooms and two single rooms (some with shower facilities), three communal bathrooms and a communal kitchen and separate dining area, this accommodation is provided over three floors.

Under Class C3 of the Town and Country Planning (Use Classes) Order 1987, as amended, (the UCO), six people or fewer can occupy a dwellinghouse as a House in

Multiple Occupation (HMO) without requiring planning permission for a change of use. This application is for the change of use of the dwellinghouse to an HMO for up to 9 occupants, and as such, it falls to consider the impact of an additional three people, over and above the permitted six, on the amenities of surrounding properties and occupiers.

Objections have been received from two neighbouring properties in terms of additional noise from the site. The occupiers of No.82 Rockingham Road have expressed concerns particularly due to residents being vulnerable children. Although the application site has been only recently been occupied with 2 or 3 rooms being let under current permitted development this could be up to 6.

A further objection from No.107 raises concerns in regard to a reduction in privacy from additional occupiers. This neighbour is opposite the application site on the west side of the Rockingham Road and as such, it is considered that the separation distance between the two properties will mean there is no loss of privacy to the rooms at the front of No.107 over and above that which is currently experienced.

In terms of the amenity of future occupiers of the property, in order to operate as an HMO, a licence is required from Private Sector Housing and the occupancy is carefully regulated and limited to only the number of occupiers stated on the licence. The occupancy levels are worked out in accordance with the room sizes provided, the amount of communal space and the number of bath/shower rooms. At the time of the Case Officers site visit the internal accommodation and grounds were maintained to a very high standard.

This application was originally submitted for 12 no. occupants in 7 no. rooms and was considered acceptable by the Private Sector Housing Team, in terms of issuing a licence. The applicant has in response to comments raised during this application reduced the occupancy level from 12 to 9 residents to reduce the impact of the proposal on neighbouring residents.

It is considered that there will be no anticipated issues in relation to amenity impact above that which could be expected from a six person HMO or a large family home within an established residential area – which could exceed more than six people – both of which could operate within the need for planning permission.

An informative will be added directing the applicants to Building Regulation Approved Document E in relation to resistance to the passage of sound between the two properties, in order to ensure there is acoustic insulation adequate to minimise airborne and structure borne noise to occupants of both the existing and new properties.

As such, it is considered the proposal would not lead to an adverse impact on the amenities of future and surrounding occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

#### 4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The application site is at the site at the corner of Rockingham Road and Wood Street, Rockingham Road is one of the main road routes into and out of Kettering and is in close proximity to Kettering Town Centre and has double yellow line alongside the

application site.

Objections have been received from neighbours in relation to the parking provision for the proposal.

The application provides for 4 on plot car parking spaces with the addition of an existing detached garage/storage room being proposed as an area for secure and covered bike storage.

The LHA have no objection to the scheme but have suggested conditions in regard to the widening of the existing access and inclusion of visibility splays if necessary. In this case the access is not proposed to be altered from the existing situation which has served the house. There is adequate turning space within the site for the vehicles to exit in a forward gear. Wood Street is a one-way narrow street characterised by terraced properties with on street parking. The street has traffic calming measures on it to reduce traffic speed heading toward Rockingham Road and as such although the proposed use would likely intensify the use of the existing access it is not considered to have a detrimental impact on highway safety, as such conditions are not considered to be necessary to alter the existing access.

Concerns have also been raised in regards to the increased pressure on the local on-street parking which is available on both Wood Street and Rockingham Road. Although there is the potential for increased number of cars the site offers 4.no off street spaces and is also on a main route with public transport close by and within walking distance of Kettering Town Centre and amenities, meaning that it would lend itself to occupants who don't drive.

The proposal accords with Policy 15 of the JCS which seeks to support modal shift and a shift away from reliance on use of the private car. Policy 4 of the NPPF details that opportunities for the use of sustainable transport modes for the movement of goods or people should be exploited.

Considering the on-plot parking and bike storage provide the proposal is unlikely to have a significant impact on the highway network or prejudice highways safety in accordance with Policy 8 of the JCS.

A condition has been recommended to ensure the on-plot parking is laid out in accordance with the approved plan and retained permanently and that full details for the bike storage are provided.

#### 5. Refuse Collection and Storage

Comments have been received regarding waste at the site. The bins will be stored in the rear garden and the applicant has provided supporting information in regard to a communal cleaner who will be responsible for taking in and out the bins for collection.

As an HMO is billed by Council Tax as a single household, they are only entitled to the same refuse and recycling facilities as a dwellinghouse which is 3 no. 240 litre plastic wheeled bins for general waste, dry recycling and garden waste and a 55 litre plastic box for paper. An informative has been added detailing advice regarding additional waste storage which is recommended.

In accordance with Policy 8 of the North Northamptonshire Joint Core Strategy, the bin storage provision is considered to be adequate to provide this basic requirement,

subject to a conditions being added to ensure bins are stored within the area as indicated on the approved site plan.

#### 6. Other Matters Raised

Comments have been raised in regard to the owners of the site not being local to the property. This is not a material planning consideration however it is noted that the applicant has provided details of the local management company that act on their behalf with the management of the HMO.

Further concern has been raised in regard the shared loft space between No.82 and No.80 and the loft hatch access to this space this is not considered to raise undue concerns, however the applicant in their supporting information has noted that tenants will not be allowed access into this space and a lock will be fitted to ensure this.

In response to other comments raised it is considered that it would be onerous to require CCTV to be installed and fire regulation are considered outside the planning process.

#### Conclusion

The proposed development is considered to be in accordance with the Development Plan policies listed in the report, and there are no material considerations which would outweigh the Development Plan.

It is therefore recommended that permission is granted subject to the recommended conditions.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Amy Prince, Development Officer on 01536 534316

#### **Previous Reports/Minutes**

Ref:

Date: