

DELEGATED

AGENDA NO  
PLANNING COMMITTEE

DATE 23 SEPTEMBER 2009

REPORT OF CORPORATE DIRECTOR,  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES

09/1382/FUL

1 The Groves, Stockton-on-Tees, TS18 3PU

Retrospective change of use from residential to House in Multiple Occupation.

Expiry Date: 6 August 2009

#### SUMMARY

Planning permission is sought for retrospective change of use from residential to House in Multiple Occupation (HIMO), with no external alterations at No.1 The Groves, Stockton.

A total of six letters of objection have been received (five from local residents and one from the ward councillor). The comments received are with respect to an increase in anti-social behaviour, an increase in number of HIMO's in this locality, depreciation in house prices due to these developments, car parking concerns and concerns over occupation of this property by asylum seekers.

The proposed development is considered to be acceptable and would not have an adverse impact on the privacy or amenity of neighbouring properties or highway safety

#### RECOMMENDATION

Planning application 09/1382/FUL be Approved subject to the following conditions:-

**01** *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<b>SBC0001</b>	<b>9 June 2009</b>
<b>SBC0002</b>	<b>9 June 2009</b>

*Reason: To define the consent.*

**02** *Notwithstanding the submitted information precise details of refuse storage and recycling facilities shall be submitted to and agreed in writing with the Local Planning Authority within one month from the date of approval.*

*Reason: To ensure a satisfactory form of development.*

***The Proposal has been considered against the policies below and it is considered that the scheme accords with these policies and the proposal is in keeping with the property and the street scene in terms of style, proportion and materials and does not involve any significant loss of privacy and amenity for the residents of the neighbouring properties or raise any highway safety concerns and there are no other material considerations which indicate a decision should be otherwise.***

**Adopted Stockton on Tees Local Plan (June 1997)  
GP1 General Principles  
H06 Housing**

## **PROPOSAL**

1. The applicant seeks retrospective planning permission for the change of use from residential to House in Multiple Occupation (HIMO) at No. 1 The Groves, Stockton. The proposal does not involve external alteration to the building.

## **CONSULTATIONS**

2. The following Consultees were notified and comments received are summarised below:-

### **Councillor M Javed**

This area is already very busy and has high anti social behaviour issue and many other crimes. It will bring more problems for the residents in the area and there for I strongly oppose the application. Thanks

### **Environmental Health Unit**

No comments

### **Head of Technical Services**

I refer to your memo dated: 18 June 2009  
General Summary

Urban Design has no objection to this application.

### **Highways Comments**

This application is for a change of use from a residential dwelling to a house in multiple occupation and it is understood that the property will provide homes for four individuals. The property is currently a substantial dwelling that could comfortably house four to six adults and does not benefit from incurtilage car parking. As there are no proposed extensions to the dwelling, the number of residents will not increase and therefore the proposed COU will not result in an increase in on-street car parking. The applicant should demonstrate how refuse will be managed and collected from the site, including provision for recycling.

### **Landscape & Visual Comments**

No comments.

### **Cleveland Police Crime Prevention**

After consultation with other crime and disorder partners and research into crime and disorder patterns in and around the Grove Street area of Stockton, I can confirm to you that the police would not be happy to support further HIMO or hostel accommodation in this already vulnerable area.

### **Parkfield and Mill Lane Neighbourhood Management Pathfinder**

No comments received

### **Parkfield Residents Association**

No Comments received

## **PUBLICITY**

3. Neighbours were notified and comments received are summarised below:-

F Graham  
7 Walter Street

We have a large site being developed on Yarm road, although I do believe we need this kind of housing. I feel that Parkfield has more than its fair share. Why is it always Parkfield we have enough trouble with anti social behaviour in this small community .Will this house be supervised how many people will be living in it. Will they all be males? Why weren't the residents informed of this?

Mrs C Garvey  
39 Cranbourne Terrace

We already have Enough Multiple Occupancy in this area and the hassle that comes with them, This is turning into Bed-sit land its ridiculous, I have them to my left, in front of me, and now to the side, there isn't car parking for another Multi occupancy, Also Policing is all ready stretched to its limit in this area where is the extra policing and car parking coming from, we have a problem with Prostitutes on Yarm road and also drug deals going on ?? This area has had enough.....It's time to clean up not add more disaster, The house next door to 1 The Groves has been giving there eviction notice as its owned by the same company and they also want it for the same as number 1 that's 20 people in 2, 4 bed house's houses ! It has come to my attention that the purpose for planning for these 2 properties are for asylum seekers, we have had this be for in Rose Lodge and it didn't work different cultures in the same house FIGHT, Are these no smoking and alcohol free homes if so where are they going to go for a smoke and a drink ? in the street outside my home? I can not no longer allow my children out to play for the fear of what is walking by, this use to be a lovely FAMILY area that has gone down hill so fast due to all these Flats, bed-sit Multiple occupancy that planning keep allowing, My home is Mortgaged I just can't pack up and move I have to listen to all the carry on that all these flats, bed-sit etc bring, and at this rate I am not going to get a good return for my family home if this and any more applications are passed, All the works have already been done in 1 The Groves so they are already prepared and ready to go, I was under the impression u had to have planning permission before any works were carried ? We do not need any more of this type of housing.

Mrs Carole Gatenby  
44 Cranbourne Terrace

I would like to oppose 1 the Groves being let for Multi Occupancy I live over the road from this address, I am a pensioner and I have lived here for 18 years and have seen this area go down so much by all these Multi occupancy homes been allowed, 1 The Groves has been let before as Multi Bedsits and it didn't work then, I own my property and house prices

have gone rite down since all these family homes have been turned in to Bedsits/Flats, The person who now owners 1 The Groves has all ready done the house up without permission, There are 4 Adults that live in my house and we ALL oppose this,

Denise Newbery  
33 Walter Street

We do not need another HMO in the area. We already have more than our fair share of them. Jomast already have properties within the area and have also taken over 40/42 Yarm road for exactly the same purpose. We are being swamped with HIMO`s, they are taking all of the larger properties when they should be larger family homes. More and more people are leaving the area because of what is being allowed to happen by our council. This is no longer a nice place to raise children. The property concerned has already had work carried out as soon as the last tenant moved out, is this because they are so sure of getting planning permission? Yes it is.

A Davison  
13 Sun Street

Objects to the application on grounds of being enough of these properties empty and an increase of anti-social behaviour.

## **PLANNING POLICY**

4. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans is the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).
5. The following planning policies are considered to be relevant to the consideration of this application:-

### **Policy GP1**

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

### **Policy H06**

Within built up areas proposals for the conversion of large residential properties to flats and bedsits will normally be permitted provided that:

- (i.) There would be no adverse effect on the amenity of neighbours; and
- (ii.) Conversion would not have a detrimental effect on the character and appearance of the building or area; and
- (iii.) Adequate provision can be made for access and the parking of vehicles in a manner which safeguards the visual amenity of the area. In certain cases, normal parking standards may be relaxed to take account of the likely rate of car ownership amongst occupants.

### **SITE AND SURROUNDINGS**

- 6. The application site is an end terraced three storey dwelling, located within a residential area of Parkfield, Stockton. The site fronts onto a railway embankment (west) with similar residential properties to the south and within the adjacent street to the rear along Cranbourne Terrace, there are a mixed tenure of residential family properties, HIMOS and flatted accommodation.
- 7. The property has an enclosed front garden with on street parking to the front, with a yard area to the rear, which adjoins an alleyway.

### **MATERIAL PLANNING CONSIDERATIONS**

- 8. The main planning considerations of this application are the principle of development, sustainability of the site, the impacts on the character of the area, amenity of the neighbouring occupiers and access and highway safety.

#### **Principle of development:**

- 9. The application site lies within the limits to development and is an existing large dwelling house, within a residential area consisting of a mixed tenure of housing. Therefore, saved local plan policies GP1 and HO6 are considered to be relevant to the determination of this application.
- 10. In addition, it is to be noted that in a recent survey by the Tees Valley Local authorities, has showed that there has been an increase of conversions of HIMO's back to family accommodation from the period of 2008 to 2009.
- 11. Therefore in the light of this information provided, it is considered that the proposed development for HIMO accommodation, would not lead to an over supply of this provision.

#### **Sustainability of the site:**

- 12. The site lies within a reasonable walking distance of the defined Local Centre of Yarm Lane and Stockton Town Centre, which provides a range of services, goods and facilities to meet the every day needs of these residents.
- 13. This location also provides access to public transport modes that cover links to the Teesside Area and North East/Yorkshire regions through bus service provision and the rail network.
- 14. The site is therefore considered to be an appropriate and sustainable enough site to accommodate the development proposed within this application.

#### **Impacts on the character of the area:**

- 15. Given the existing wide range of residential accommodation within the surrounding area, which consists of HIMO's (predominately occupied by students) within Cranbourne Terrace to the rear and residential dwellings within the vicinity of the site, it is considered the proposed use is in keeping with the character of the surrounding area. t

**16. Amenity of the neighbouring occupiers;**

17. As the existing dwelling is currently sufficient to accommodate a large family, and that there are no additional habitable room windows proposed, it is considered that the scale of the proposed use, will not be out of place within this locality and would not worsen the existing situation than that the present arrangement, with respects to loss of privacy or increase in noise and disturbance matters.
18. Environmental Health was consulted on the application and had no comments to make.
19. Therefore, the scheme is not considered to have an adverse impact on the residential amenity of neighbouring properties and not in direct conflict with saved policies GP1 and HO6 of the adopted Local Plan.

**Access and highway safety;**

20. The Head of Technical Services has raised no objection to the application, based on the fact that the property is a substantial dwelling, which can accommodate a large number of occupants already and given that there is no existing car parking at present, the application is not considered to increase on street parking in this location.
21. A further comment has been made, requesting details on how the refuse will be managed and collected from the site and including the provision for recycling and this can be dealt with by the imposition of an appropriate condition.
22. Therefore, on this basis, it is considered that the proposal does not raise any access or highway safety issues and is in accordance with saved policies GP1 and HO6 in this respect.

**Residual Issues;**

23. Concerns and objections have been raised by local residents, ward councillor and statutory consultees such as the Police and Community Safety manager in relation to change in character of area, depreciation of house prices, sufficient amount of these properties in Parkfield already, increase in anti-social behaviour, will be occupied by Asylum seekers and fear of crime by the future residents and an increase of crime and disorder within this locality.
24. These comments are all duly noted and can be addressed accordingly.
25. With regards to the character of the area and an oversupply of HIMO`s, these matters have been addressed within the above report.
26. It is noted that perception of crime is a material consideration in determining any planning application, however, there is no robust evidence that this development would lead to an increase in crime in this locality. Issues such as fear of crime based on assumptions not supported by evidence should not be accorded any great weight in the determination of a planning application.

**CONCLUSION**

27. It is considered that the proposed change of use would not have a detrimental impact on the character of the surrounding area and residential amenities of neighbouring properties

or raises any highway safety issues and therefore accords with saved policies GP1 and H06 of the Stockton on Tees Local Plan

28. It is therefore recommended that the application be approved.

**Corporate Director of Development and Neighbourhood Services  
Contact Officer Mr Fahim Farooqui Telephone No 01642 528558**

**Financial Implications** – As report

**Environmental Implications** – As report

**Legal Implications** – As report

**Community Safety Implications** – As report

**Human Rights Implications** –

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

**Background Papers**

**WARD AND WARD COUNCILLORS**

**Ward** Parkfield and Oxbridge  
**Ward Councillor** Councillor M Javed

**Ward** Parkfield and Oxbridge  
**Ward Councillor** Councillor R Rix