

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

10th APRIL 2013

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

13/0478/COU

22 Richmond Road, Stockton

Proposed change of use from dwelling house into a House of Multiple Occupation (HMO)

Expiry Date: 22 April 2013

SUMMARY

Approval is sought for the change of use of the dwelling to a House in Multiple Occupation (HMO) with nine bedrooms for up to nine students. Nineteen objections have been received from neighbouring residents and a further objection has been received from the Ward Councillor and Oxbridge Residents Association. These are largely on the grounds that the change of use would be out of keeping with the local character and there is insufficient parking.

The Head of Technical Services has assessed the change of use and raises no objections. Environmental Health also has no objection to the change of use. Taking into account the capacity of the existing property for residential C3 use, the tolerance for HMO without requiring permission, it is considered that in this instance, given that the proposed occupants would consist of 9 individuals it is considered to be acceptable in terms of impact upon the amenity of neighbouring properties. Therefore the retrospective change of use is recommended for approval.

RECOMMENDATION

That planning application 13/0478/COU be approved subject to the following condition and informatives below;

01 *The development hereby approved shall be in accordance with the following approved plan(s);*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
SBC0001	25 February 2013

Reason: To define the consent.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies and the proposal will not involve any significant impact upon the amenity of the residents of neighbouring properties or raise any highway safety concerns or have a significant detrimental impact on the character of the area and there are no other material considerations which indicate a decision should be otherwise.

Adopted Stockton on Tees Local Plan (June 1997)

Saved Policy HO6 Residential Conversions

Core Strategy Policy 2 - Sustainable Transport and Travel

Core Strategy Policy 8 - Housing Mix and Affordable Housing Provision

Supplementary Planning Document Number 3: Parking Provision for New Developments

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

SITE AND SURROUNDINGS

1. The host dwelling is a large, mature, semi-detached property located on a residential street within the Oxbridge area of Stockton on tees. The property is bounded on either side by similar size and style dwellings, to the front is the highway with further residential properties beyond and to the rear is a large garden area that backs onto Ropner Park.

PROPOSAL

2. This application seeks consent for the change of use of 22 Richmond Road, Stockton on tees from a residential property with C3 (a) use to House in Multiple Occupation (sui generis, as over 6 persons). The property is an existing 9 bedroom home and the applicant seeks to provide accommodation for 9 students.
3. The change of use does not include any external alterations.

CONSULTATIONS

4. The following Consultees were notified and comments received are set out below:-

Head of Technical Services

General Summary

Subject to the comments below the Head of Technical Services raises no objections.

Highways Comments

In accordance with SPD3: Parking Provision for Developments 2011, a 9-bedroom house should provide 4 incurtilage car parking spaces while a 9 resident HMO/student accommodation should provide 2 incurtilage car parking spaces (1 per 4 residents). This property benefits from a garage with internal dimensions of approximately 4.5 x 5.5m which accommodates 1 car and provides cycle storage. Therefore there is currently an under provision of 3 incurtilage car parking spaces while the proposed use would have an under provision of 1 space.

Following a recent study in this area a 20 mph speed limit has been introduced and residents were offered 'H' markings to prevent parking across drives.

Given the existing under provision of car parking and standards in SPD3: Parking Provision for Developments 2011, there are no highway objections.

Landscape & Visual Comments

No comments.

Environmental Health Unit

Environmental Health would have concerns regarding the potential for noise nuisance from Student accommodation in a quiet residential area, due to the potential clash in life styles of the occupiers. However the property itself is of good construction and capable of preventing reasonable noise levels generated from the dwelling causing disturbance to adjacent properties. Noise will only be an issue if not managed effectively by the occupants themselves or by the landlord, in which case Environmental Health could take enforcement action to prevent noise nuisance. This situation would apply irrespective of whether the property was occupied by a large family or by individual students; it is the lifestyle of the individuals that create the issue not the property itself.

Hence, whilst we would prefer a use more in keeping with other properties in the road, in order to reduce the likelihood of complaints occurring in the future, this concern does not warrant an objection to the application.

Councillor M Javed

No comments received

Councillor David Rose

As Ward Councillor for Parkfield and Oxbridge I wish to object to this application and request that Planning Officers recommend for refusal.

Along with a number of residents I have discussed this issue with, I have serious concerns about the proposed Change of Use to an HMO at 22 Richmond Road.

The key reasons are that an HMO for students will undoubtedly create more ongoing and cumulative parking need and highway safety issues; it will have a detrimental affect on the amenity and character of the area; and it is an inappropriate and unsuitable location for an HMO.

I have detailed my objections below:

Parking

I am aware of the Highways assessment based on standard conditions for HMOs of one car per four bedrooms.

However, given the stated nature of the target customer base – students (see also below) - and the location, I suggest the car usage will be far higher.

The location is a significant distance from Higher or Further Education establishments.

There is no direct public transport from Oxbridge to the University of Durham campus in Stockton or to Stockton Riverside College, or the University of Teesside campus in Middlesbrough.

Therefore nine bedrooms could mean a minimum of nine additional cars parked in the area regularly.

Students are a distinct demographic from many types of HMO users.

The application states this is student accommodation, although there is no guarantee of who would rent rooms. Either way, with distance from any HE or FE establishment (see also below), it is likely that there will be additional car parking requirements.

If people stay (ie friends and partners, as is likely with students) this could increase substantially.

Students requiring accommodation away from their families will naturally attract family and friend visits from 'home'. This will add to the car parking and, for example, at term start and end along, an additional nine cars could easily require parking space simply

Richmond Road is already heavily used for parking throughout the year, in particular by Ropner Park users. Additional ongoing parking needs will displace these visitors and add to the overall pressure in Oxbridge. We do not wish to deter visitors to the park as it is a key community and visitor facility for the Borough.

Following extensive consultation, a residents-only or other parking restriction scheme in this area of Oxbridge did not gain sufficient support from residents to proceed. Stockton Council's Technical Services department has advised that 'single street' restrictions are not possible, as they simply displace and add to other problems.

Therefore I strongly dispute that the additional ongoing parking need – and impact of associated visits - needed for a nine bedroom, individually-rented property to students would be mitigated for Richmond Road residents by the space available. The real impact will be much worse. As above, this will impact on the wider community by displacing parking further.

Highway Safety

As per the reasons above, this application would be likely to result in more than two additional vehicles on Richmond Road during day and evening times. Due to the nature of student life they would be coming and going regularly as would visitors.

Additional manoeuvres on this road are not desirable as it is already often full of parked cars and also people including families and children unaccompanied by adults using Ropner Park

We have already recently implemented road safety measures in this area as a direct result of volume of traffic, speeding and volume of parked cars

Loss of Amenity for Neighbouring Residents and Character of the Areas

The ongoing activity associated with nine separate occupants of an HMO would have a detrimental effect on the amenity of residents in the road. This would include moving in and out (i.e. in line with student terms) and the ongoing lifestyle of students, which could include late nights, socialising within the house, multiple visitors and noise (see below).

No-one wishes to deny living accommodation to students, but there is no indication of need, or robust guarantee the occupants would be from one specific occupational or other background.

Residents include a number of retired and elderly residents and family homes. This is an inappropriate development in such a space,

The road includes a residential retirement home and the noise associated with student accommodation (and arrivals/departures back to the HMO, activity within etc) would impact on these and all residents in the street.

As Parkfield and Oxbridge ward councillor I am well aware of the volume of HMOs within the Parkfield area of the ward and of the additional demands many place on Council ASB, Enforcement and the ward Neighbourhood Police Team staff. To open additional HMOs and in an area which is unsuitable, residential and unserved by any appropriate facilities will place additional demands on services across the ward.

As many residents have pointed out, the additional parking and road usage will bring safety issues in an area of narrow streets and significant Ropner Park-associated pedestrian usage, including many young people and children who play in the park. We wish to retain the popularity safety and reputation of the park as a key green space and leisure facility within the Borough which contributes significantly to a range of outcomes for residents. This will detrimentally impact on the Park as an accessible and safe attraction.

This is not a 'student' house but a proposed commercial enterprise based on potential short-term lets of a transient population in an inappropriate area.

Noise

There will be a clear noise impact on a quiet, residential road at night. Nine individual occupants and any guests within the space of one house will clearly not be acting as a coherent unit in terms of behaviour, noise control etc. The impact of arrival and departure times associated with people enjoying student experiences will be clear.

Housing Need

The applicant specifically states that the accommodation is for nine student rooms.

There is no substantive evidence that student accommodation is required in Oxbridge.

Teesside University Campuses are in Middlesbrough and data indicates that the majority of Teesside University students live in existing family homes or in student accommodation in Middlesbrough.

There is no evidence of need from Durham University Stockton Campus students. The University has built and is continuing to invest in 'on site' accommodation including new facilities on North Shore. There is formal and informal student accommodation within close walking distance of the Durham University Stockton Campus

I am not aware of any evidence of housing need for Stockton Riverside College or other 16+ aged students.

Location for HMO for students

There are no identifiable or typical facilities close to this location for students (eg leisure or low cost retail)

There is no other specific student housing in the Oxbridge area

A nine bedroom HMO is clearly a very different housing proposition to a group of three or four students deciding to rent a house together. The application is clearly a commercial proposition. It is not clear that there would be any proactive management of the property, or experience of doing so.

The location is close to a residential care home, and typical student profiles and behaviours would be inappropriate for such a quiet area. It would benefit neither care home residents or students themselves who would constantly be under requirement not to engage in any night-time or noisy activity

Location for HMO

This is a largely family based quiet residential street and an HMO would be a totally inappropriate addition to the housing mix

As above, there are older people living in a care home nearby.

There is no guarantee on the quality, management or of the type of tenants who would live in this property.

Such a development would significantly change the character of the street.

HMOs by their nature are associated with ASB and other issues and there is no guarantee that 'for nine students' will mean that. This is a quiet area with limited Policing, CCTV etc presence and is not suitable for large multiple occupancy accommodation.

Precedence

There are no large HMOs in this residential area of Oxbridge.

There has been substantial work in stabilising the previously transient communities (which are associated with HMOs) in other parts of Oxbridge where there are small rented properties via social and private landlords. This would be a backwards step in introducing new such communities.

There is no evidence of need for this accommodation in this location, nor that services are appropriate and would be of benefit to students living there.

A commercially run HMO for nine separate and individual students is very different to a 'student house' of three or four students who jointly rent a property to live together in a more coherent and smaller arrangement.

Additional comments received:

Further to my objection below, please can you also take the following into account, re Character of the Area and Loss of Amenity.

Parkfield and Oxbridge ward already (2012 Mosaic data from Experian) comprises of 13.8% private rented accommodation – more than double the Stockton on Tees average.

20% of the population (2001) of the ward lives in private rented accommodation (2001 Census) – more than three times the Stockton average!

The ward already hosts a large number of HMOs including hostels of many varying types. Residents and services will not benefit from increased spread - particularly to new and wholly inappropriate streets as outlined in my original email - of further HMOs.

PUBLICITY

5. Neighbours were notified and comments received are set out below :-

Mr George Barber - 20 Richmond Road Stockton-on-Tees

Students in Richmond Road.

Students are usually very active, music-loving, noisy and nocturnal individuals...and they have every right to be; however a multi-student residence needs to be in an appropriate area for the benefit of everyone, including the students themselves.

22 Richmond Road is not a suitable residence for students as the house is situated in a quiet area where most of the neighbours are retired folk.

As my house (20 Richmond Road) is the 'other half' of this 1870s semi-detached building I am aware that, despite its size, sound travels without much difficulty through the walls. My wife and I would like to enjoy our retirement without the noise and nightly disturbance that would undoubtedly occur with a student community living at the other side of our walls.

Devaluation

I would also fear for the inevitable devaluation of our property. The houses in Richmond Road are substantial Victorian properties with splendid features and magnificent gardens. The true value of the houses is never justified in the selling prices because the road is too close to the centre of Stockton (Location, Location). Further devaluation would certainly occur if a student community was to take residence here.

Parking

The popularity of Ropner Park for family visits in recent years has caused considerable problems for parking at this end of the road. At weekends, holidays and generally throughout the summer months, families park their cars to gain access to the park by the Richmond Road gate. Frequently I have to park my car some distance from my house. This is greatly inconvenient especially when we are unloading our shopping. Many students now have cars and the parking problem is bound to increase even further if several extra cars arrive permanently in our neighbourhood.

Mr and Mrs Thomas - 18 Richmond Road Stockton-on-Tees

This is not and never has been a student area, much concern for noise and disruption this may cause. Population at the end of Richmond Road, most residents are retired people. Student life is not conducive to this area of Richmond Road.

Mr David Willshaw - 61 Richmond Road Stockton-on-Tees

This application would appear to further a precedent for future such applications in a cul-de-sac which is essentially an historical owner occupier/residential/family based area, with the addition of a Care Home for the elderly. The further expansion of HIMO properties will not only detract from the current nature of the immediate environment but cause additional stress on the parking and traffic volumes which have been the subject of concern to residents, and specific action taken by the council. The road itself has a number of families with young children, plus the proximity of the play area in Ropner Park. As such, and given its none through road nature, children often play in the relative safety of the road. The current application and potential for future such developments would also increase the proportion of a more transient population given the nature of a rental population. Such an increase, in my opinion, would bring with it a lessening of responsibility towards the road as opposed to that of the vested interests of those owner-occupiers, long-term residents. An increase in the volume of a more transient population might also lead to the potential for an increase in anti social/ crime behaviour, e.g. noise levels etc.

On a final note, the availability of rental accommodation/ new build/affordable build in Stockton and its immediate vicinities may already be sufficient for needs. Any such HIMO development into this singularly long established, quiet, owner/occupier/family/ residential road would seem to be a non-essential and negative move.

Mrs Jean Walsh - 57 Richmond Road Stockton-on-Tees

Richmond Road is one of the few remaining roads left in Stockton on Tees with beautiful Victorian houses rich in history and mainly family/owner-occupied. Since the decision to move the play area from the central location of Ropner Park to the area situated behind the gates at the end of Richmond Road, we have seen a significant increase in the volume of traffic within the road, as Stockton Council is aware of, especially at the end in question. Changing 22 Richmond Road into HMO, would attract at least nine extra vehicles, easily doubled if allowing for friends and family visiting/co-habiting. We cannot continually access our own properties now, because of the traffic problems incurred by Stockton Councils decision to move the play area in Ropner Park to a corner of the park in a built up area instead of Marlborough road / Hartburn lane (with parking on Marlborough Road). The intention is to sell the house with the HMO, thus attracting further developments into bedsits, etc and no guarantee of the type of occupants as the current owner suggests. I oppose this application, as it will set a precedent for further such applications for other large houses in the road. Roads such as Hartington Road, once a prime location of Victorian homes, has been destroyed and turned into bedsit land. I do not wish to see the same happen to Richmond Road. Student accommodation attracts an element of anti social behaviour, crime and noise levels caused by drinking/partying/bbqs until all hours of the morning. We are a close family community and this is a quiet area and we do not want that destroyed for one individual's profit. We pay the higher band of rates within the borough for the enjoyment of living in Richmond Road and would like to continue to do so without our properties being devalued. There is currently a surplus of purpose built accommodation within and around the area, this is one development which

does not have a need factor. The Queen Victoria bridge has been destroyed by an eyesore of a building, once again for students!! Is it possible to retain some history in Stockton on Tees?

Mr Donald McCabe - 28 Richmond Road Stockton-on-Tees

I object to this application.

Parking - As a no through road, any increase in traffic and parking problems could hinder access to emergency vehicles which often use Richmond Road as access to the park. Residents already suffer high levels of traffic particularly in summer and problems accessing their own property. Given the location of the children's play area, there are a large number of young visitors to the road and although the council has recognised this by reducing the speed limit to 20mph, any subsequent increase in traffic would seem to fly in the face of this decision.

The applicant's property, along with our own, is visible from the park and any exterior developments which may occur to the exterior of the property as a result of HMIO would detract from restoring the park to its original Victorian design which the council has spent many millions implementing.

If approval is granted I believe it will set a precedent and lead to a rash of similar applications. This is a Victorian street that has managed to retain its character for well over a century and it would be a real shame if this type of development was allowed to ruin one of the few historical roads of Stockton.

Mrs Audrey Snowden - 53 Richmond Road Stockton-on-Tees

I strongly object to this application - there are already traffic issues - where is the parking for a potential nine more cars? The road is already often congested and bottlenecked particularly as it is used for parking by those visiting Ropner Park. Possibility of anti-social behaviour: whilst all students do not behave irresponsibly there are many who do just that. More problems with parking, noise, anti-social behaviour, late night parties, bbqs in large garden that could easily accommodate 50+ persons etc. etc. Sets a dangerous precedent - what if other property owners decide to follow suit if they are unable to sell their properties - there are a number of properties on the market at present. The road has many elderly, retired residents and is currently a quiet and safe place to live - Richmond Road is not a suitable place for student accommodation and there must surely be sufficient numbers of that type of housing already in existence.

Mr Chris Adnett - 63 Richmond Road Stockton-on-Tees

Richmond Road is a community of family-occupied housing, especially around number 22 which is applying for HMO. There are plenty of houses within the vicinity of Oxbridge that are already HMO and there is no real need for further developments of this kind. There are many empty properties around Ropner Park including developments of new, cheaper housing. The application specifically mentions 'nine students' and with this in mind I would point out that it is some distance from the University campus which has plenty of properties for students and the amenities to suit, none of which are to be found in Richmond Road.

With multiple occupancy comes the associated parking problems. Nine students could represent a lot more than nine vehicles in a road that can be over congested on weekends, sunny days and any time when the splendid amenity that is Ropner Park has one of its many, well-organised public events.

Finally I come to the point of precedence. Richmond Road has some fine old houses, many of which are larger than the average but all are family homes. There are a few houses on the market or about to be put up for sale. If HMO is granted on this house it would be, in my view and that of many residents, the thin end of a very large wedge which will result in the end of a family community in the heart of the borough. Richmond Road has a special place in Stockton's history and has been described in the past as a jewel. It would be a shame if this is allowed to degenerate in the same way as the historic station, a travesty belief!

Mr Paul Sawley - 67 Richmond Road Stockton-on-Tees

I strongly object to this application for HMO at 22 Richmond Road mainly due to the additional parking congestion that the multiple dwelling would create.

Richmond road already has serious parking issues with the volume of people using it to park their vehicles whilst visiting the park. This situation would only deteriorate with the arrival of 9 students at number 22, not to mention the additional vehicles of their respective family members and friends that would be visiting them.

I also feel that a development of this type would devalue the surrounding properties and possibly lead to an influx of similar developments. This could transform one of the few streets in Stockton which has managed to retain its Victorian charm into another Hartington Road, full of Bedsits housing drunks and drug addicts, not exactly what you need next to a public park which is used daily by many families and young children.

There are plenty of empty rental properties providing this type of accommodation in the neighbouring streets to Richmond Road and I feel that Stockton Borough Council should be doing their up most to preserve what unspoilt areas they have remaining.

Mrs Debra McCabe - 28 Richmond Road Stockton-on-Tees

I object to the above application.

For almost 150 years Richmond Road has been a quiet residential cul-de-sac, enjoyed by generations of families, including Harold MacMillan, former Prime Minister. It has great Victorian character and has houses, which are the oldest in Oxbridge, built before the formation of Ropner Park.

My objections are:

Parking - The problems of parking in Richmond, where many homes do not have driveways, are well documented by the council. As a cul-de-sac without a turning circle, residents already have to put up with increased traffic from park visitors, driveways being blocked and cars and walls being damaged by vehicles trying to turn round. Any increase in the number of occupants of a property could impact greatly on the parking situation. While the argument put forward maybe that the tenants will be students who are unlikely to drive, the fact is this is a general application and there will not be any control on the type of tenants who move in and each could have a vehicle.

Precedent: Richmond Road is quiet residential street with many families. To my knowledge none of the homes have Multiple Occupation permission. If this is allowed I believe it will open the flood gates for more applications of this nature for every property which comes on the market, turning the street into 'bedsit land' very quickly.

Covenants: There is a covenant on our property, which excludes it being used for business purposes. I believe similar covenants exist on other properties on the even numbered side of Richmond Road and this should be investigated before any decision is made on the application.

While the applicant may have specific plans with regards to the tenants, once permission is granted the property could be sold to anyone and the type of tenant will be out of the control of everyone except the new landlord.

In the 80s I believe Stockton Council rejected a similar type of application in Richmond Road and instigated a policy which would reject applications for houses of multiple occupation west of the railway line in an effort to prevent the march of bedsits into Oxbridge.

This policy appears to have been successful so far and I would urge the council to maintain its stance.

Mr Anthony Melville - 30 Richmond Road Stockton-on-Tees

An application for HMO being granted would open the flood gates to every other large family home within Richmond Road to be used in the same manner, if this was the case, the already existing parking issues would become even worse. The road would head into a downward spiral and ruin what is a beautiful Victorian road that is a gate way to the spectacular Ropner park, I believe the visitors of Ropner park would be deterred by having a road full of what could be called 'bedsits' that may have undesirable people habituating in as they will be know control of whether students will be living within. Therefore the investment that has been put into re-generating Ropner park could be classed as a waste of money and time. I cannot express enough of the importance of keeping Richmond Road a gem of Oxbridge.

I moved to Richmond Road to live amongst respectable neighbours who take pride in their properties, not to be surrounded by students or undesirables who would not respect the road for what it is. I work hard in order to afford my property and maintain its stunning looks therefore I do not wish this to be over shadowed by having bedsits within my road that will potentially cause a rise in anti social behaviour, parking issues and also have detrimental affects on Ropner park. I object greatly.

Mrs Judie Adnett - 63 Richmond Road Stockton-on-Tees

Richmond Road is a residential area largely consisting of owner occupied properties. Since the erection of the new children's playground in Ropner Park there has been a significant rise in parking problems in the road. The park is heavily used at all times of the year and, whilst this is desirable, it is common for residents to be unable to park their own cars near to their house or even to gain access to their own drives or garages. The Council recognised this as a problem in 2012 and conducted a survey amongst residents to try and solve this. In the end they were unable to take significant action because of financial constraints. I am concerned that multiple occupancy would mean a significant increase in the number of cars and a further deterioration of the problem. A second three storey house (number 59) is directly opposite number 22 and is currently on the market. Due to change in circumstances of the owner number 26 is also likely to be for sale soon. A change to multiple occupancy for number 22 creates a precedent for these and other properties in the area.

Although my children are now adults I do not think it is appropriate for a multi-occupancy house which is likely to involve rented apartments to be so close to the children's play area. 22 Richmond Road has been a family home for over a hundred years and should remain so.

Mr Noel Walsh - 57 Richmond Road Stockton-on-Tees

This will set a precedent for other large houses in the road to be turned into HMO. We will end up the same as Hartington Road. I struggle now to get a large van onto my drive as the current parking problems are out of hand, let alone another 10 cars in front of my home and over my drive. This is directly opposite my home. My home will be devalued. There will be noise from drunken teenagers until all hours of the morning. I am a pensioner and have spent most of my life here and would like to spend the rest in this quiet road.

Elaine Stockill - 49 Richmond Road Stockton On Tees

I object to the proposal. My first point is that Richmond Road has encountered major difficulties with parking, due to the park entrance. Despite efforts to control parking in the road, this has in fact made little impact. With possible students up to 9 in total and with cars plus visitors to the property this will only increase traffic, the above property has no parking facilities such as a drive, hence increasing parking in the road considerably.

The property is a beautiful Victorian house in a residential road, and I believe that the road should remain a residential setting, and if you grant one house, it will set a precedent to other properties, of a number which are for sale and vacant, allowing others to consider change of use.

Having observed properties of multiple occupation, particularly in Yarm Road and Yarm Lane, the outside is usually displaying old bed's and sofa's, plus the amount of domestic waste, requiring more industrial waste containers to maintain refuse.

I do not feel that this is the right tone that residents want to observe within a residential road.

Christopher Vass - 37 Richmond Road Stockton-on-Tees

I object to this proposal on the grounds of the increase in road traffic and also the lack of parking available.

Richmond Road continues to be used for public parking when the weather is good for people accessing Ropner Park and is very congested.

We purchased our house as Richmond Road is a cul de sac and we have young children, creating more traffic in the road would create a higher risk to all children who live in the road and we do have many children who live in Richmond Road.

Mrs Sheila Arthur - 19 Richmond Road Stockton-on-Tees

I would like to object to 22 Richmond Road's planning application to turn the residence into a HIMO dwelling. With a possible 9 new tenants this will bring many problems for existing home owners. Parking is already an issue with visitors to the park, this will be compounded with 9 new tenants their family, friends and partners, Richmond Rd is a lovely peaceful place to live with elderly and young families living respectfully of each other. If the proposed HIMO was granted this could shatter the harmony, with possible noise disturbance and late night revelry spoiling what is possibly one of the best areas of Oxbridge. Stockton is plentiful with dwellings for students without turning Richmond Rd into another Hartington Rd thus ruining a beautiful Victorian area.

Ms Jill Murphy - 69 Richmond Road Stockton-on-Tees

I would like to object to the proposed application for HIMO at this address.

First I would like to say that I have only recently been informed about this and believe that only a select circle of homes were sent information about the proposals. If this HIMO were to be passed I feel that most occupants in the road would be interested and affected.

Richmond Road is a quiet, family orientated road. Should a precedent be made for such application then I feel that many more would follow, and the nature of the road would change completely.

There are many student accommodations in Stockton which are much closer to the University and I am unable to believe that there could be a need for any more especially in this road in particular. Another problem would be around parking. This has been a regular issue in this road since Ropner Park improvements. 9 people in one accommodation has the potential to create even more problems.

I do not believe that there is a place or a need for any HIMO accommodations in Richmond Road and hope that the Council will recognise this and reject the application.

Mr Craig Steer - 69 Richmond Road Stockton-on-Tees

I would like to object to 22 Richmond Road's planning application to turn the residence into a HIMO dwelling.

With a possible 9 new tenants this will bring many problems for existing home owners. Parking is already an issue with visitors to the park, this will be compounded with 9 new tenants their family, friends and partners.

Richmond Rd is a lovely peaceful place to live with elderly and young families living respectfully of each other. If the proposed HIMO was granted this could shatter the harmony, with possible noise disturbance and late night revelry spoiling what is possibly one of the best areas of Oxbridge. Stockton is plentiful with dwellings for students without turning Richmond Rd into another Hartington Rd thus ruining a beautiful Victorian area.

Jacky Yeaman Vass - 37 Richmond Road Stockton-on-Tees

This is an Objection to the above development proposal.

I do not feel that Richmond Road would be able to accommodate the additional cars that this development would attract. The road is increasingly busy already with the cars of people who live in the road and cannot cope with potentially another 9 - 18 cars being driven and parked in the road.

The increase in traffic would also pose a danger to the children resident in Richmond Road as well as those visiting the park.

This road is also extensively used by companies training learner drivers and by visitors to Ropner park and already contributes considerably to traffic and parking problems to those who live in Richmond Road.

It would be catastrophic for residents who live in Richmond Road if this development went ahead, please do not allow this to take place.

Anne Adamson – 35 Richmond Road

The quality of life for neighbours living near to no. 22 is likely to be reduced if the proposed changes occur. Nine students could bring with them nine cars – when the road is already congested. Students are notoriously loud and insensitive to others – having been one myself and I think it highly inappropriate to change such a family home to student accommodation when such accommodation is over-subscribed in Stockton already!

Oxbridge Residents Association

Please may I register our objections on behalf of the Oxbridge Residents Association regards proposals for 22 Richmond Road, not enough care or consideration is taken over what tenants are put in these properties.

PLANNING POLICY

6. 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 Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan
7. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an

application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

8. The following planning policies are considered to be relevant to the consideration of this application:-

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

Saved Policy HO6 of the adopted Stockton on Tees Local Plan

Within built up areas proposals for the conversion of large residential properties to flats and bed sits 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.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations when assessing this application are the principle of development, the impact on the amenity of neighbouring properties, the impact on the character of the surrounding area and implications for highway safety.

Nineteen letters of objection have been received from neighbouring residents with a further objection from the Ward Councillor and Oxbridge Residents Association largely on the grounds that the change of use will have a detrimental impact on highway safety due to parking problems

on the street, the impact in terms of noise and disturbance, the proposed use being out of character with the area and setting a precedent for future similar developments.

Principle of development

9. The application site lies within the limits to development and is an existing dwelling house; within a residential area. Core Strategy policies CS2, CS8 and saved local plan policy HO6 are considered to be relevant to the determination of this application.
10. DCLG Circular 8/10 advises that Large houses in multiple occupation – those with more than six people sharing – are unclassified by the Use Classes order and are therefore considered to be ‘sui generis’. However the circular also advises that although the control limit of six persons defines the scope of Use Class C3 (b) and (c) dwellinghouses and Use Class C4 houses in multiple occupation classes, this does not imply that any excess of that number must constitute a breach of planning control. A material change of use will occur only where the total number of residents has increased to the point where it can be said that the use has intensified so as to become of a different character. Given the ambiguous nature of Government advice it is considered that planning consent is required for the use of the property as a HMO with 9 persons.
11. The site lies within a reasonable walking distance of Oxbridge Lane Neighbourhood Centre and it is considered that the range of services and goods within walk able distance would meet the every day needs of the residents.
12. Policy CS2 of the adopted Core Strategy seeks to ensure that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes. This location provides access to public transport modes, as there is a bus stop located approximately 300 metres from the application site, which provides links to the wider area. The site is therefore considered to be a sustainable site to accommodate the development subject to material planning considerations.
13. Point 11 of Policy CS8 of the adopted Core Strategy states that major applications for student accommodation will have to demonstrate how they will meet a proven need and that the proposed accommodation is located within easy access of the University. The proposed scheme will provide only a small number of additional units of student accommodation, it is considered that due to the scale, demonstration of the need for the development is not required and it is considered that the scale of the development will not adversely affect the general provision of student accommodation within the Borough as a whole.
14. Saved Policy HO6 which predates the changes to the Use Classes Order relating to houses in multiple occupation, makes reference to the change of use of large residential properties to flats and bedsits, whilst a HMO is not specifically mentioned the policy is considered relevant. The policy background states that many substantial dwellings first intended for large families are now expensive to run and difficult to maintain by a single family and these properties may be suitable for conversion and this may prove an appropriate means of securing their future whilst adding to the housing stock. It is also stated that large concentrations of such uses can change an entire character of an area and the Council would wish to guard against this. The policy itself states that conversions will normally be permitted provided that there would be no adverse impact on the amenity of neighbours, it would not have a detrimental effect on the character and appearance of the building or area and adequate provision can be made for access and parking, these points are all materials planning considerations that will be considered below.

Amenity of neighbouring properties

15. The host dwelling is currently a large, 9 bedroom home capable of accommodating a large family. The proposal does not involve any external alterations and there are therefore no additional habitable room windows proposed or alterations to the size of the dwelling.
16. The Environmental Health Unit has raised concerns regarding the potential for noise nuisance from Student accommodation in a quiet residential area. They have stated that, whilst they would prefer a use more in keeping with other properties in the road, in order to reduce the likelihood of complaints occurring in the future, this concern does not warrant an objection to the application.
17. The present Government specifically introduced legislation to enable the change of use from Use Class C3 (Dwelling houses) to Use Class C4 for a House in Multiple Occupation to operate without requiring planning permission for a change of use as it is of the view that the impacts of the uses in terms of character and amenity of an area are similar. The development proposes facilities for 9 students within the property. Therefore, taking into account existing permitted development rights and as the property is currently capable of accommodating a large number of occupants, it is not considered that the 9 individual occupants would significantly worsen the situation with regard to increase in noise and disturbance.
18. Taking the above into account it is considered that the impact on the amenity of neighbouring properties over and above what could be carried out without the need for planning approval would not be significant enough to warrant refusal of the application

Character of the area

19. Objectors have raised concerns regarding the impact of a HMO on the character of the surrounding area. As indicated above a HMO for up to 6 individuals can clearly operate without requiring a change of use under use class C4. The application is seeking permission, as the HMO will provide accommodation for 9 individuals. Given that the application relates to three persons over the number of occupiers permitted under the Use Class Order and the existing residential C3 capacity of the property it is not considered that this would have a significant impact upon the character of the surrounding area.
20. The change of use does not involve any external alterations. As such it is not considered that it results in an incongruous feature within the street scene or appears out of keeping with the character of the surrounding area.

Highway Safety

21. Objections have raised concern over parking provision along Richmond Road and there is concern that the proposed use could increase the number of cars associated with the property.
22. The Head of Technical Services has stated that in accordance with SPD3: Parking Provision for Developments 2011, a 9-bedroom house should provide 4 incurtilage car parking spaces while a 9 resident HMO/student accommodation should provide 2 incurtilage car parking spaces (1 per 4 residents). This property benefits from a garage with internal dimensions of approximately 4.5m x 5.5m which accommodates 1 car and provides cycle storage. Therefore there is currently an under provision of 3 incurtilage car parking spaces while the proposed use would have an under provision of 1 space.

23. Following a recent study in this area a 20 mph speed limit has been introduced and residents were offered 'H' markings to prevent parking across drives.
24. Given the existing under provision of car parking and standards in SPD3: Parking Provision for Developments 2011, the Head of Technical Services raises no highway objections. As such it is not considered that the proposal will result in an adverse impact upon highway safety.

Residual Matters

25. With regard to setting a precedent for this type of development, each application is assessed on its own merits therefore it is not considered that this will set an undesirable precedent within the area.
26. With regard to the devaluation of property, this is not a material planning consideration and cannot be addressed as part of this application.
27. One letter of objection states there may be a covenant on the property, which excludes it being used for business purposes. This is a legal matter and cannot be addressed as part of this application.
28. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. Objections have raised concerns that the proposed scheme will lead to an increase in anti-social behaviour in the area. Whilst there is no evidence to link such issues to the proposed use, any potential problems arising from this behaviour can be dealt with by other methods such as the police service or community enforcement section and would not be a reason to warrant refusal of the application.
29. The provisions of Section 17 of the Crime and Disorder Act 1998 have therefore been taken into account in the preparation of this report.

CONCLUSION

30. The change of use application relates to a use which the present Government specifically introduced legislation to facilitate the use of dwelling houses as Houses in Multiple Occupation. Therefore it is considered that there is no significant impact on the character or amenity of the area by the provision of three additional occupants.
31. Taking the above into account, it is recommended that the application be Approved for the reasons set out above.

Corporate Director of Development and Neighbourhood Services
Contact Officer Miss Ruth Hindmarch Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward Parkfield and Oxbridge
Ward Councillor Councillor M Javed

Ward Parkfield and Oxbridge
Ward Councillor Councillor David Rose

IMPLICATIONS

Financial Implications: as report

Legal Implications: as report

Environmental 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.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers:

Planning Application 13/0478/COU