



Appeal Decision

Site visit made on 8 October 2024

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2024

Appeal Ref: APP/M2840/W/24/3346408

11 York Road, Corby, North Northamptonshire NN18 0NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Alcin Tuncel against the decision of North Northamptonshire Council.
 - The application Ref NC/24/00137/DPA, dated 15 April 2024, was refused by notice dated 3 June 2024.
 - The development proposed is change of use from C3 (dwelling house) to a Sui Generis HMO for up to 8 people including provision of bin storage and bicycle parking area.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use from C3 (dwelling house) to a Sui Generis HMO for up to 8 people including provision of bin storage and bicycle parking area at 11 York Road, Corby, Northamptonshire NN18 0NU subject to the attached conditions.

Main Issue

2. The main issue is the effect on car parking in the area.

Reasons

3. The appeal site is a semi detached house in a residential area. The property is set back from the road by a driveway that is able to accommodate 2 cars. Other properties in the immediate area are similarly styled and most have some level of off street parking. There are some examples where the land to the front of the property is completely given over to garden. At the time of my site visit there was a level of on street parking in York Road and in surrounding streets.
4. The property is currently in use as a house in multiple occupation (HMO). The appellant says that it has operated as such, serving 6 people, since 2018. It has been operating unlawfully as an 8 bedroom HMO since December 2023.
5. The property can be used lawfully as a 6 person HMO under permitted development rights and the appellant makes reference to a certificate of lawfulness confirming the legitimate use. The issue therefore is whether the additional 2 people associated with the 8 person HMO would generate harm to highway safety.

6. A Parking Beat Survey produced by the appellant demonstrates a level of parking stress on certain parts of York Road on the 2 dates of the survey. Nevertheless, capacity remained on York Road and the wider area. The appellant identifies that the site is in an accessible location with access to services and facilities using means other than the car. This is not disputed by the Council. I also note the provision of cycle parking storage at the property. In this context and given the scale of the development there is little before me to indicate that the development would pose a risk to highway safety, as identified by the Council and an interested party.
7. The development would not therefore conflict with Policy 8 of the North Northamptonshire Joint Core Strategy which seeks to ensure safe and pleasant streets.

Conclusion and Conditions

8. For the reasons identified I conclude that the appeal should be allowed and planning permission should be granted subject to the necessary planning conditions. In attaching conditions I am mindful of paragraph 57 of the National Planning Policy Framework which states that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
9. I have imposed a condition specifying the relevant drawings as this provides certainty (1). A condition requiring cycle storage provision is necessary to promote sustainable alternative travel (2). A condition requiring bin storage is necessary in the interests of residential amenity (3).

K Ford

INSPECTOR

CONDITIONS

1. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

Dwg 11YR/011 Location Plan (received 16.04.2024)
Dwg 11YR/010 Proposed Block Plan (received 16.04.2024)
Dwg 11YR/002 Proposed Layout Plan (received 16.04.2024)
Dwg 11YR/006 Existing and Proposed Rear Elevation (received 16.04.2024)
Dwg 11YR/007 Existing and Proposed Side Elevation A (received 16.04.2024)
Dwg 11YR/0008 Existing and Proposed Side Elevation B (received 16.04.2024)
Dwg 11YR/003 Proposed Ground Floor Plan (received 16.04.2024)
Dwg 11YR/004 Existing First Floor Plan (received 16.04.2024).
2. The cycle storage area (detailed on Dwg 11YR/010 Proposed Block Plan (received 16.04.2024)) shall be provided on site within 3 months from the date of this planning permission, and thereafter retained for the storage of cycles.
3. The bin storage area (detailed on Dwg 11YR/010 Proposed Block Plan (received 16.04.2024)) shall be provided on site within 3 months from the date of this planning permission, and thereafter retained for the storage of bins.