

Planning Committee: 14 December 2021

Item Number: 6

Application No: W 21 / 1178

Town/Parish Council: Leamington Spa
Case Officer: Rebecca Compton
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Registration Date: 18/06/21
Expiry Date: 13/08/21

Flat 3, 18 Portland Street, Leamington Spa, CV32 5HE

Application for the change of use of dwellinghouse (Use Class C3) to a 3 bed House in Multiple Occupation (HMO) (Use Class C4). FOR Innocent Group

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The application seeks planning permission for the proposed change of use from a 2 bed dwelling (Use Class C3) to a 3 bed House in Multiple Occupation (Use Class C4).

THE SITE AND ITS LOCATION

The site subject to this application is an upper floor flat located within a terraced building in the Royal Leamington Spa Conservation Area.

PLANNING HISTORY

None relevant.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- H6 - Houses in Multiple Occupation and Student Accommodation
- TR3 - Parking

Guidance Documents

- Parking Standards (Supplementary Planning Document- June 2018)

- Residential Design Guide (Supplementary Planning Document- May 2018)

Royal Leamington Spa Neighbourhood Plan 2019-2029

- Policy RLS1 – Housing Development Within the Royal Leamington Spa Urban Area
- Policy RLS3 – Conservation Areas
- Policy RLS5 – Royal Leamington Spa Housing Mix and Tenure

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

WDC Waste Management: No objection.

WDC Private Sector Housing: Recommendations made for fire safety, ventilation and light and outlook.

Public response: 6 objection comments have been received from local resident raising concerns over impact on neighbours, waste and parking.

Assessment

Principle of Development

Whether the proposals would cause or add to a harmful over-concentration of HMOs in this area

Policy H6 of the Local Plan states that planning permission will only be granted for Houses in Multiple Occupation (HMOs) where:-

- a). the proportion of dwelling units in multiple occupation (including the proposal) within a 100 metre radius of the application site does not exceed 10% of total dwelling units;
- b). the application site is within 400 metres walking distance of a bus stop;
- c). the proposal does not result in a non-HMO dwelling being sandwiched between 2 HMOs;
- d). the proposal does not lead to a continuous frontage of 3 or more HMOs; and
- e). adequate provision is made for the storage of refuse containers whereby - the containers are not visible from an area accessible by the general public, and the containers can be moved to the collection point along an external route only.

Assessment:

- a). Within a 100 metre radius there are 25 existing HMOs out of 355 residential units. The existing concentration level is at 5.9%. The addition of one further HMO would increase the concentration of HMOs to 6.1% which is below the 10% limit of HMOs within a 100 metre radius.

- b). The nearest bus stop is located on Parade which is within 400 metres walking distance of the property.
- c). The existing property does not sandwich a non-HMO between another HMO.
- d). It does not lead to a continuous frontage of HMOs.
- e). The proposal would retain the existing waste and recycling storage arrangements to the rear of the property. The property is on a weekly black sack collection, refuse can be stored internally or to the rear of the building which are not accessible by the general public and the sacks would be moved outside on collection day.

The development meets the requirements of Local Plan policy H6 and is therefore considered acceptable.

Concerns have been raised by a local resident over refuse storage and impact on neighbours, Waste Management have been consulted and have raised no objection to the change of use and given that the development complies with Local Plan policy H6, officers are satisfied that a HMO in this location would not have an unacceptable impact on neighbouring residents.

Impact on the Street Scene

The development does not include any external alterations and so would not have any impact on the character of the street scene.

The proposal is therefore considered to be in accordance with Local Plan Policy BE1.

Impact on neighbouring properties

Local Plan policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion.

The proposed change of use includes no external alterations. The proposal is therefore unlikely to have an impact on neighbouring residential amenity which would warrant reason for refusal of the application.

The proposed HMO would provide acceptable living conditions for the future occupiers, all rooms benefit from outlook and light.

The proposal is therefore considered to be in accordance with Local Plan Policy BE3.

Parking & Highway Safety

The existing parking requirement for the 2 bedroom house is 2 spaces and the requirement for the proposed 3 bed HMO would also be 2 spaces, according to the Council's adopted Parking Standards SPD. The development would therefore lead to no increase in parking.

The Cycle storage required for the existing 2 bedroom dwelling would be 2 spaces, as proposed the 3 bedroom HMO would also require 2 spaces. The development would therefore lead to no increase in cycle storage.

The proposal would therefore be in accordance with Policy TR3 of the Local Plan.

Other Matters

Private Sector Housing have provided advice on the licensing requirements for the proposed HMO, this includes the need for fire precautions and ventilation to the kitchen and bathroom. They have also suggested that one of the bedrooms should be provided with another window. Officers are satisfied that all rooms have adequate levels of light and outlook however the advice from Private Sector Housing will be added as an advisory note.

Conclusion

The proposed change of use is considered to be acceptable in principle and would not have a harmful impact on neighbouring residential amenity, or the character of the area. There would be no increased demand on parking as a result of the change of use. The proposed change of use is therefore recommended for approval.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved proposed floor plans, and specification contained therein, submitted on 18th June 2021. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
