

**Planning Committee:** 17 January 2012

**Item Number:** 14

**Application No:** W 11 / 1316

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Rob Young

**Registration Date:** 19/10/11

**Expiry Date:** 14/12/11

01926 456535 planning\_east@warwickdc.gov.uk

**95 Radford Road, Leamington Spa, CV31 1JZ**

Change of use from a 6 bedroom house in multiple occupation to a 7 bedroom house in multiple occupation FOR Mr & Mrs K S Rai

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This application is being presented to Committee because the recommendation is contrary to the views of the Town Council.

**SUMMARY OF REPRESENTATIONS**

**Town Council:** Object. The overdevelopment of the house impacts on the size and quality of the accommodation therein.

**Conservation Area Advisory Forum:** Part II item, no comment.

**WDC Conservation:** No objection as this relates to a change of use without any architectural implications.

**WDC Private Sector Housing:** The above property was inspected on 22<sup>nd</sup> September 2011, by myself and Building Control to assess its suitability for use as a HMO. I have subsequently issued a HMO License for a total of 7 individuals living as 7 households, issued on 9<sup>th</sup> November 2011, which will come into effect on 7<sup>th</sup> December 2011.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)

**PLANNING HISTORY**

In April 2011 planning permission was granted for "Erection of single and two storey rear extension after demolition of existing lean-to" (Ref. W11/0169).

## **KEY ISSUES**

### **The Site and its Location**

The application relates to a semi-detached house situated on the northern side of Radford Road. The site is situated within a predominantly residential part of the Leamington Spa Conservation Area. The application property fronts onto the junction of Radford Road and Willes Road. On-street parking is prohibited on this part of Radford Road, although there is an off-street parking layby in front of the neighbouring dwellings to the east.

### **Details of the Development**

The application proposes a change of use from a 6 bedroom house in multiple occupation to a 7 bedroom house in multiple occupation.

### **Assessment**

The main issues relevant to the consideration of this application are as follows:

- the impact on the living conditions of neighbouring dwellings;
- the living conditions of the proposed accommodation;
- car parking; and
- the impact on the character and appearance of the Conservation Area.

#### **Impact on the living conditions of neighbouring dwellings**

I do not consider that the proposed change of use would have a significant impact on the living conditions of neighbouring dwellings. An increase of one bedroom is unlikely to have any material impact in terms of noise and disturbance for neighbours.

#### **Living conditions of the proposed accommodation**

I note the concerns of the Town Council about the quality of the accommodation. However, the property has been licensed as a 7 bedroom house in multiple occupation by the Council's Private Sector House team and they are satisfied that it provides an adequate living environment.

#### **Car parking**

The Council's Parking Standards would require 1 additional off-street parking space for the proposed 7 bedroom house in multiple occupation compared with the requirement for a 6 bedroom house in multiple occupation (because the standard is 1 space for every 2 bedrooms, rounded up). However, the application site does not include any off-street parking and it is not possible to provide any. Having carefully considered this issue, I am not convinced that a

refusal of planning permission could be justified on the grounds of inadequate parking on the basis of just one additional bedroom when this is already a 6 bedroom house in multiple occupation. I note that there has been no objection on parking grounds and 1 additional bedroom is unlikely to have a material impact on parking within the local area.

#### Impact on the character and appearance of the Conservation Area

The application does not propose any alterations to the building. Therefore, I do not consider that a change of use to incorporate an existing room as one additional bedroom would have any significant impact on the character and appearance of the Conservation Area.

#### Other matters

I do not consider that the proposed change of use would result in a significant increase in the energy requirements of the application property. Therefore I do not consider that it would be appropriate to require on-site renewable energy production as part of this development, in accordance with Local Plan Policy DP13.

The application property has an alleyway to the rear garden and this would allow for refuse and recycling to be stored within the rear garden.

I do not consider that the proposed change of use would result in a material increase in the demand placed upon public open space. Therefore I do not consider that it would be appropriate to require a contribution towards the provision or enhancement of public open space in this case, in accordance with Local Plan Policy SC13.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing(s) 1920/1/D and the basement and 2nd floor fire precautions plan, and specification contained therein, submitted on 19 October 2011, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

### **INFORMATIVES**

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development would not cause unacceptable harm to the architectural and historic character of the Conservation Area within which the site is located and would be acceptable in terms of car parking. Furthermore, the proposal would not adversely affect the amenity of nearby residents and would provide a satisfactory living environment. The proposal is therefore considered to comply with the policies listed.

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