

Planning Committee: 12 September 2023

Item Number: 10

Application No: [W 23 / 0945](#)

Town/Parish Council: Leamington Spa
Case Officer: Jack Lynch

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Registration Date: 28/06/23

Expiry Date: 23/08/23

11 Hornbeam Grove, Sydenham, Leamington Spa, CV31 1QX

Change of use from Use Class C3 (residential dwelling) to Use Class C4 (HMO)
FOR Mr S Sahota

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 applicant seeks planning permission for the proposed change of use from an existing Use Class C3 Dwellinghouse to a Class C4 HMO. The proposed works do not include any external alterations.

THE SITE AND ITS LOCATION

The application site relates to an existing two storey end of terrace dwelling with driveway parking located on Hornbeam Grove, Leamington Spa. The dwellinghouse neighbours 10 Hornbeam Grove to the South.

PLANNING HISTORY

Application site:

No relevant planning history

Neighbouring history relevant to this application:

W/21/2263 - Change of use from a dwelling (Use Class C3) to a House in Multiple Occupation (HMO) (Use Class C4) (Retrospective) – GRANTED (6 St Davids Close)

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)

SUMMARY OF REPRESENTATIONS

TOWN COUNCIL - No Comments.

WDC HOUSING - No Objection.

PUBLIC RESPONSE - One comment in support has been received and five objections have been received, within these objections, the concerns are:

- An increase in the number of HMO's in the area,
- Potential increase in noise following the change of use, and
- Increased stress on 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 2 existing HMO's out of 76 residential units. The existing concentration level is at 2.6%. The addition of one further HMO would increase the concentration of HMOs to 3.9% which is below the 10% limit of HMOs within a 100 metre radius.
- b). The nearest bus stop is located on Gainsborough Drive 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 containers would be stored in an area not accessible by the general public and the bins would be moved outside on collection day.

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

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 adequate living conditions for the future occupiers, all rooms benefit from outlook and light and there is adequate private amenity space.

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

Parking & Highway Safety

The parking requirement for the 4 bed HMO would be 2 spaces, according to the Council's adopted Parking Standards SPD. This is the same as the number of spaces required for the existing dwelling.

While the property only benefits from a single garage to its rear, the site also benefits from use of a parking court area. As a result of capacity for vehicle parking and no change in net provisional requirement between operation of the site as a dwelling and HMO, the application is considered acceptable in this regard. Appropriate space for cycle storage within the rear garden is also specified.

Should the applicant wish to increase the number of bedrooms in the future, officers would expect a parking survey to be submitted to demonstrate sufficient capacity.

It is therefore concluded that the proposal suitably accords with Policy TR3 of the Local Plan.

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 approved site location plan, block plan, and drawing number 2303-2 submitted on the 28th June 2023, and specification contained therein. **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.

 - 3 The total number of bedrooms shall not exceed 4. **REASON:** To ensure satisfactory amenity for occupiers of the dwelling and to ensure the satisfactory provision of off-street parking in accordance with the Local Planning Authority's Parking Standards and in the interests of highway safety and residential amenity in accordance with Policies BE3 and TR3 of the Warwick District Local Plan 2011-2029.
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