

**Planning Committee:** 19 March 2013

**Item Number: 11**

**Application No:**W13 / 0154

**Town/Parish Council:** Whitnash

**Case Officer:** Liam D'Onofrio

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**Registration Date:**11/02/13

**Expiry Date:**08/04/13

**6 Haseley Close, Leamington Spa, CV31 2PD**

Change of use from dwellinghouse (Use Class C3) to a House in Multiple Occupation HMO (Use Class C4) to accommodate up to four persons sharing.  
FOR MrsNaylor-Smith

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

**RECOMMENDATION**

Planning Committee are recommended to grant planning permission, subject to conditions.

**DETAILS OF THE DEVELOPMENT**

The purpose of this report is to consider the above application to change the use of the property from a dwellinghouse (C3 Use Class) to a house in multiple occupation (C4 Use Class). The property will have four bedrooms, a communal kitchen/diner and lounge and two off-street parking spaces on the frontage driveway.

**THE SITE AND ITS LOCATION**

The application site relates to a semi-detached dwelling located on the northwest side of the highway. The locality is residential in character, with a mixture of two-storey semi-detached and terraced properties and a block of three-storey flats to the south of the site.

**PLANNING HISTORY**

W/04/1248 Erection of two-storey side/rear extension: Granted 27th August 2004.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)

- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework

## **SUMMARY OF REPRESENTATIONS**

**Leamington Town Council:** No objection, but the Town Council comment that they are concerned at the proposed development in a mainly residential area and would welcome the District Council's guidance policy on Houses in Multiple Occupation (HMO).

**Councillor Knight:** No objection, no planning policy to justify refusal, but the Councillor hopes that the new HMO planning policy will be completed as soon as possible.

### **Public responses:**

There have been six letters of objection from local residents raising the following concerns;

- Parking, with concerns raised regarding existing on-street parking pressures within the locality;
- Strong objection to student housing, there are empty student houses closer to the town centre. There is further concern that students will bring noise, disturbance and anti-social behaviour problems to the area.
- Housing Register indicates a large number of families trying to access a very small number of four-bedroom properties.
- The scheme is over-development and would be detrimental to the area, setting an undesirable precedent.

## **ASSESSMENT**

The main considerations in assessing this application are as follows:

- The principle for development;
- Neighbours' amenity; and
- Parking.

### **Principle**

The application site is within a predominantly residential location and the residential HMO use will remain compatible with surrounding dwellings. The Article 4 Direction in place across Leamington Spa restricts permitted development changes for single dwellinghouses (C3 Use Class) to houses in multiple occupation, (C4 Use Class), allowing the Council to better control the location of new HMO uses and to ensure that the impact upon the settled community is minimised.

In terms of national policy, Paragraph 50 of the National Planning Policy Framework (NPPF) requires the Council to plan to create inclusive and mixed communities and Policy SC1 of the Local Plan seeks to encourage a mixed and inclusive communities and states that: "different types of housing and tenure do not make bad neighbours". While a good balance between house types is appropriate the Local Planning Authority are keen to ensure that an over-concentration of HMOs are not created in any particular street.

In this case there are no other known HMO uses within the street and the proposed scheme will meet the Council's Vehicle Parking Standards for HMOs of one parking space per two bedrooms. The proposal will be an appropriate scale (four bedrooms) and is considered to be easily absorbed into the residential location. The HMO use is therefore considered acceptable.

### **Neighbours' Amenity**

Local Plan Policy DP2 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. National Planning Policy Framework (NPPF) 2012, Paragraph 58 requires the Council to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Although the scheme is not specifically for student accommodation, the more general concerns raised by local residents regarding noise, disturbance, litter and anti-social behaviour are noted. While the Council cannot anticipate the actions of individuals in either C3 or C4 residential use classes, or whether they will be 'good neighbours', it is acknowledged that an over-concentration of HMO uses in one area can result in a higher likelihood of noise/anti-social behaviour, including negative impacts on the physical environment, such as inadequate attention to waste disposal, lower levels of community involvement and pride in the area etc. The concerns raised by residents can be more commonly attributed to areas where there are large-scale and over-concentrated HMO uses. Policy encourages that an appropriate mix of house types and tenures are provided and the creation of a single, well-scaled HMO (four bedrooms) within this street is not considered to result in any significant impact upon the amenities of surrounding residents.

### **Parking**

The Warwick District Local Plan Policy DP8 states development will only be permitted that makes provision for parking. The Vehicle Parking Standards Supplementary Planning Document states, the parking standards required for HMO developments is 1 space per 2 bedrooms. The scheme will comply with this guidance and no issues are raised in terms of car parking.

### **Other matters**

Given the scale of the proposed HMO use it is unlikely to have any significant additional energy requirements when compared to the existing dwellinghouse. It is therefore considered unreasonable to impose the 10% predicted energy requirement typically required for conversions in accordance with Policy DP13 of the Local Plan.

The proposed change of use will not create any *new* residential units and the scheme is not therefore considered to trigger the necessary open space contributions.

### **Summary/Conclusion**

In the opinion of the Local Planning Authority, the development will be of an appropriate scale that does not adversely impact upon the character of the area

or the amenities of the occupiers of surrounding properties. The proposal is therefore considered to comply with the policies listed.

**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 drawing(s) Ground floor plan and first floor plan dated February 2013, and specification contained therein, submitted on 11th February 2013. **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.

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