

Planning Committee: 27 March 2018

Item Number: **6**

Application No: [W 17 / 1933](#)

Town/Parish Council: Whitnash
Case Officer: Lucy Hammond
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Registration Date: 14/11/17

Expiry Date: 09/01/18

485 Tachbrook Road, Whitnash, Leamington Spa, CV31 3DQ

Proposed increase in the eaves and ridge heights of the existing bungalow by 2.6m and 2.4m respectively to facilitate the addition of a first floor and the creation of a two storey building. Proposed change of use from dwelling to HMO for up to 8 people. FOR C/o The Planning Group Ltd

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

That planning permission be granted subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to change the use of the application building from a single dwelling to a House in Multiple Occupation (HMO) for up to 8 people. The proposals also include the construction of extensions and an increase in the heights of the eaves and ridge of the building to effectively convert it from a bungalow to a two storey property however it should be noted that these extensions have already been approved as part of an earlier planning permission (detailed in the history section below) and the current plans submitted with this application show the same scheme as that which has already been permitted.

THE SITE AND ITS LOCATION

The application property is a bungalow with an existing loft conversion located on the east side of Tachbrook Road, in Whitnash. This section of the streetscene is mainly characterised by large, two storey detached dwellinghouses with long and wide driveways and various designs and fascias. While there are limited examples of other single storey bungalows of the same character as the application property, these are further along the road and represent an exception to the overall character and rhythm of the street. On the opposite side of the road to the west of the site is the Warwick Gates residential development.

The application dwelling has been significantly extended at single storey level to the rear although this can not be seen from the streetscene and has had a loft conversion, but these extensions project a considerable length from the original rear wall and comprise of flat roofs. The rear extension forming the north elevation of the property projects almost the whole length of the original

dwellinghouse. Moreover, it is noted that at the time of considering this application works are already underway on site to construct the approved extensions and other works at the property.

PLANNING HISTORY

W/17/1368 - Erection of first floor extension over bungalow and pitched roofs over existing rear extensions to provide two storey house – Approved 06.10.2017

W/13/0146 - Proposed first floor extension and new pitched roof to existing rear extensions – Approved 27.03.2013

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Neighbourhood Plan
- Whitnash Neighbourhood Plan

SUMMARY OF REPRESENTATIONS

Whitnash Town Council: Objection; there are concerns about access and egress on Tachbrook Road, as it is extremely busy.

WCC Highways: No objection to the principle however further clarification sought

WCC Ecology: No objection; notes recommended

Private Sector Housing: No objection

Open Space Team: No objection subject to condition

Health and Community Protection (Environmental Sustainability): No objection

Public response: 9 letters of objection received (2 from the same individual) raising the following material planning considerations:

- The introduction of a HMO here will lead to a change in the character of the area
- This will erode the quality of life for nearby residents
- Change of use to HMO will intensify the size, use and loss of privacy
- Loss of light to neighbouring properties
- Concerns about drainage
- Concerns about increased noise and disturbance
- Concerns about waste management
- Impact on ecology and protected species
- Concerns about parking and general highway safety

Other non-material considerations were raised including:

- There is no need for any HMO's in this location

ASSESSMENT

The main issues to consider are:

- The principle of development
- The impact on the character of the area and streetscene
- The impact on neighbouring residents
- Access, car parking and highway safety
- Ecological issues
- Other matters

The principle of development

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

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

The proposed HMO would be located in a predominantly residential area and the 100m radius calculation carried out for the proposal concludes that the total number of HMO's would be 1.7% of the total number of dwelling units. The policy is therefore complied with in this respect.

The application site is within 400m walking distance of a bus stop, the proposal would not result in a non-HMO dwelling being sandwiched between two HMO's, the proposal would not lead to a continuous frontage of three or more HMO's and adequate provision would be made for storage of refuse containers in accordance with (e) of the policy.

Having regard to the content of the adopted Whitnash Neighbourhood Development Plan, there is no specific policy regarding the provision or consideration of Houses in Multiple Occupation so the proposal, in principle, is not considered to be contrary to the provisions of the NDP.

Overall, the proposal accords with the provisions of Policy H6 and therefore the development is considered acceptable in principle subject to an assessment being made of the other relevant material considerations which are set out below.

The impact on the character of the area and streetscene

It is acknowledged that the proposed extensions are the same as those which have already been approved under an earlier permission (W/17/1368) and as such it is considered that there would be no greater impact on the visual amenities of the surrounding area and street scene than the approved scheme. The proposal is therefore considered to comply with Policy BE1 of the Local Plan.

The impact on neighbouring residents

Since the proposed extensions and physical works to the dwelling are the same as those approved last year under W/17/1368 officers do not consider there would be any greater impact resulting from the operational development on the residential amenity of the nearest neighbouring properties over and above the approved scheme.

In terms of the use, with the dwelling now proposed to be used as a HMO for up to 8 people as opposed to a single family dwelling, there are no objections raised to the development by the Environmental Health and Private Sector Housing teams. Moreover the proposal complies with Policy H6 which seeks to protect both the character of residential areas and the private amenity of the closest residential properties. Overall, officers do not consider that the use of this building as a HMO would result in material harm to the amenity of other neighbouring dwellings such as to justify a refusal of permission. The proposals are therefore considered to comply with Policy BE3 of the Local Plan.

Access, car parking and highway safety

The existing property is served by a vehicle access off Tachbrook Road. The proposed HMO would utilise the same access with space to the front of the building to create parking and turning areas for future occupiers. The County Highways Authority's original consultation response raised no objection to the principle of development however it sought clarification and an additional plan showing that the existing access was capable of being widened to the requisite width to enable cars to pass one another based on the proposed and intensified use. A revised plan has been submitted which illustrates the necessary

improvements to the access in line with the recommendations of the Highways Authority and it is anticipated that by the time this application is heard at committee the Highways Authority will have formally withdrawn its objection. This will be reported via the committee updates.

A total of four car parking spaces are proposed to the front of the building which accords with the parking standards which require one space per two bedrooms for HMO's. Officers are satisfied that the proposal would not result in any detriment to highway safety and sufficient parking can be provided. Accordingly the development complies with Policies TR1 and TR3 of the Local Plan.

Ecology

No objections are raised by the County Ecologist who has recommended the same informatives be attached to any forthcoming permission as was the case on the earlier approval for the same extensions to the building. Officers are satisfied that no harm would be caused to protected species or other features of ecological importance and the development therefore accords with Policy NE2 of the Local Plan.

Other matters

Open Space

Policy HS4 seeks contributions from developments to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The proposed development would not make any on-site provision for open space and accordingly, having been assessed by the Open Space team, a contribution of £6,140 would be required which would be put toward the development objectives of the Town Council relating specifically to green space improvements. If the Town Council is able to identify any specific projects towards which such a contribution would be put then the proposal would be considered to accord with HS4 and would be acceptable in this regard. It is anticipated that by the time this is heard at committee the Town Council will have been able to confirm whether or not there are any specific projects and this will be reported via the committee updates.

Low Emissions Strategy

Policy NE5 seeks to permit development proposals that ensure the district's natural resources remain safe, protected and prudently used. To that end, development proposals will be expected to demonstrate that they (*inter alia*) do not give rise to soil contamination or air, noise, radiation, light or water pollution where the level of discharge, emissions or contamination could cause harm to sensitive receptors.

In accordance with the requirements of the policy, and where development proposals would lead to an increase in vehicular movements, a standard condition should be applied to any forthcoming permission requiring a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance. I propose to attach this condition in the event permission is forthcoming. Accordingly, I consider the development is acceptable in this regard and accords with Policy NE5.

Summary/Conclusion

The principle of development, to change the use of the building from a single residential dwelling to a House in Multiple Occupation for up to eight people, is acceptable in accordance with the provisions of Policy H6 of the Local Plan. With regard to the proposed extensions to the building, including the increase in the eaves and ridge heights of the original building, no changes are proposed in this application over and above those which have already been approved under an earlier permission approved last year (W/17/1368). Since the resulting building, once extended, would be the same as that which has already been permitted, officers consider there would be no greater impacts on the character of the area, appearance of the street scene, or the residential amenity of nearby neighbouring properties. Furthermore, there would be no detriment to highway safety and the access and number of car parking spaces is considered to be in accordance with the relevant policies of the Development Plan.

Having regard to all of the above considerations, it is therefore the opinion of Officers, that the development accords with the aforementioned policies of the Warwick District Local Plan 2011-2029 and as such it is recommended that planning permission be approved subject to the conditions set out below.

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 drawings AL (BR) 02 Rev.B and AL (BR) 04 and specification contained therein, submitted on 17 October 2017 and revised drawing AL (BR) 00 Rev.B and specification contained therein, submitted on 19 January 2018. **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 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy HS4 of the Warwick District Local Plan 2011-2029:
 - (i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and
 - (ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented in strict accordance with the approved details.
REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy HS4 of the Warwick District Plan

2011-2029.

- 4 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
- 6 Prior to the occupation of the development hereby permitted, the first floor side windows in the north and south facing elevations shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
- 7 The development hereby permitted shall not be occupied until the cycle and bin store shown on approved drawing AL (BR) 02 Rev.B has been provided. The cycle and bin store shall thereafter be retained as such in perpetuity. **REASON:** In the interests of visual and residential amenities and character of the area having regard to Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 8 The development hereby permitted shall not be occupied until the parking and turning space for vehicles shown on approved drawing AL (BR) 00 Rev.B has been provided. The parking and turning areas shall thereafter be retained as such in perpetuity. **REASON:** In the interests of highway safety having regard to Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029.