

Application No: [W 15 / 1687](#)

Town/Parish Council: Leamington Spa

Case Officer: Rob Young

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Registration Date: 14/10/15

Expiry Date: 09/12/15

3 St Johns Terrace, Tachbrook Street, Leamington Spa, CV31 3BJ

Change of use from a dwelling (Use Class C3) to a 3 bed house in multiple occupation (Use Class C4) FOR Miss S Caunce

This application is being presented to Committee due to an objection from the Parish Council having been received and because Cllr Naimo has requested that the application be determined by Committee.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission.

DETAILS OF THE DEVELOPMENT

The application proposes a change of use from a dwelling (Use Class C3) to a house in multiple occupation (Use Class C4).

THE SITE AND ITS LOCATION

The application relates to a two storey mid-terraced house situated within St. John's Terrace. St. John's Terrace is a terrace of 9 Victorian / Edwardian houses situated on the southern side of Tachbrook Street. Two of these properties are currently used as houses in multiple occupation.

PLANNING HISTORY

There have been no previous planning applications relating to the application property.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- 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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Town Council: Object. Raise concerns about the attic or cellar possibly being used for additional habitable living space.

Public response: 4 objections have been received, raising the following concerns:

- harmful over-concentration of HMOs in the locality;
- increased noise and disturbance;
- adverse impact on the sense of community in the locality;
- there are already 2 HMOs in the terrace;
- impact on parking on street; and
- the existing HMOs already cause difficulties including issues around refuse collection, noise and parking difficulties.

Cllr Naimo: Requests that the application is referred to Committee. Given the high proportion of HMOs in South Leamington requests that the cumulative impact that the conversion of family dwellings into houses in multiple occupancy is having on the area is taken into account. In particular pressures on car parking and loss of a sense of community by residents.

WCC Highways: No objection. It is unlikely that a 3 bed HMO will significantly increase the demand for on-street parking compared to the existing dwelling. It is also unlikely that the proposed development will have a detrimental impact on public highway safety.

WDC Private Sector Housing: No objection. The facilities and layout are acceptable. Query the use of the attic.

ASSESSMENT

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

- whether the proposals would cause or add to a harmful over-concentration of houses in multiple occupation in this area; and
- car parking and highway safety.

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

Policy H6 of the Draft Local Plan sets out criteria for assessing whether there is a harmful over-concentration of houses in multiple occupation in an area. Dealing with each criterion in turn:

(a) There are 144 residential units within a 100m radius and 12 houses in multiple occupation, giving a current concentration of 8%. The proposals would increase the concentration to 9%, which is below the 10% limit. Therefore the proposals comply with this criterion.

(b) The application site is less than 400m from the nearest bus stop on Tachbrook Road. Therefore the proposals comply with this criterion.

(c) The neighbour to one side (No. 4) is already a HMO and therefore is not affected by this criterion. The neighbour to the other side (No. 2) is not a HMO and neither is the property the other side of that (No. 1). Therefore the proposals comply with this criterion.

(d) As Nos. 2 and 5 are not HMOs, the proposals would not create a continuous frontage of 3 or more HMOs. Therefore the proposals comply with this criterion.

(e) There is an alleyway between the application property and No. 4 which provides external access to the rear garden for the purposes of refuse storage. Therefore the proposals comply with this criterion.

Therefore the proposals comply with all of the criteria of Policy H6 such that it is considered that they will not cause or add to a harmful over-concentration of houses in multiple occupation in this area. As a result, it must also be concluded that the proposals will not cause an unacceptable increase in noise and disturbance for nearby dwellings.

Car parking and highway safety

The Council's Parking Standards require 2 parking spaces for the existing use (1.5 spaces for a 2 bedroom dwelling, rounded up) and 2 spaces for the proposed use (1 space per 0.5 bedroom for a HMO, rounded up). Consequently there is unlikely to be a significant increase in the demand for parking as a result of the proposed change of use. Moreover there has been no objection from the Highway Authority and the site is situated in a sustainable location in close proximity to a main bus route and a wide range of shops and services. Therefore it is not considered that a refusal of planning permission could be justified on parking grounds. Furthermore, in view of the comments of the Highway Authority, the proposals are considered to be acceptable in terms of highway safety.

Other Matters

The Town Council and Private Sector Housing have queried the use of the attic and cellar. The applicant has confirmed that neither of these areas have been converted into living space. These areas are used for storage.

The proposed use is unlikely to result in a significant increase in the energy requirements of the application property and therefore it would not be appropriate to require on-site renewable energy production in this case, in accordance with Local Plan Policy DP13.

SUMMARY/CONCLUSION

The proposals would not cause or add to a harmful over-concentration of houses in multiple occupation in this area. Furthermore, the proposals are considered to be acceptable in terms of car parking and highway safety.

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).

