

Application No: [W 14 / 1834](#)

Town/Parish Council: Leamington Spa
Case Officer: Sally Panayi

Registration Date: 13/01/15

Expiry Date: 10/03/15

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27 Radford Road, Leamington Spa, CV31 1NF

Change of use from C4 6 bedroom HMO to Sui Generis 7 bedroom HMO FOR Mrs
Davinder Sanghera

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

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to change the use of the existing 6-bedroom HMO to a 7-bedroom HMO. Planning permission is required for this change of use because a 6 bedroom HMO is classed as a C3 dwelling house within the Use Class Order, whilst a dwelling occupied by more than 6 residents living together is a Sui Generis use.

The proposal is for the conversion of an existing wet room and part of the utility room located within the ground floor accommodation of the rear wing of the property to a bedroom. The side window of the rear wing serving this room is to be replaced with a window of a size and design to meet the fire, safety and building regulation standards. The remainder of the existing utility room on the ground floor adjacent to the kitchen is to be converted to a shower room.

THE SITE AND ITS LOCATION

The application relates to a three storey mid terraced house located on the northern side of Radford Road. The property is not listed but is within the Leamington Spa Conservation Area. The property is an established HMO currently occupied by 6 students and is the fifth in a group of five HMOs located together. The front garden of the property is hard surfaced with sufficient parking for two vehicles side by side and for the storage of a number of wheelie bins.

PLANNING HISTORY

There is no planning history relevant to this planning application. From the Council's records the house has been in occupation as a House in Multiple Occupation prior to 1st April 2012.

RELEVANT POLICIES

- The National Planning Policy Framework

The Existing Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Vehicle Parking Standards (Supplementary Planning Document)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Environmental Health Private Sector Housing: Comment on the revisions to the layout of the property required to meet the appropriate licensing standards.

County Highways: No objection.

Contract Services: No objection.

Leamington Spa Town Council: Objection: The proposed accommodation for the additional person is considered to be too small and will adversely impact on the wellbeing of the occupant.

3 Neighbour Comments: objecting to the proposal on the following grounds have been received on the following grounds:-

- 1) The impact of the high density of students already in this area with resulting noise, parking and refuse problems - no increase should be allowed.
- 2) An approval to allow 7 bedrooms would set a precedent for other HMOs in the area.
- 3) There is insufficient communal space.
- 4) There is insufficient parking.
- 5) The proposed bedroom is too small.

ASSESSMENT

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

- The concentration of student accommodation in this area
- Siting and design
- Car parking and highway safety
- Refuse/bin storage
- Health and wellbeing.

The concentration of student accommodation in this area

The property is currently occupied as an authorised 6 bedroom HMO. The change of use will increase the number of bedrooms to 7. There are 143 properties within a 100 metre radius of which 26 are HMOs, including the application property. The current density of HMOs within the surrounding area is therefore 18% which exceeds the 10% identified within the HMO policy. The accommodation of one additional student would not materially change the percentage of HMOs within the area and it is therefore considered that in principle one additional occupant will not have a significant impact on the character of the existing use to a degree that would warrant a refusal of planning permission.

Siting/design

There are no external alterations to the dwelling proposed with the exception of the replacement of the existing window of the new bedroom on the flank wall of the rear wing of the property to meet health and safety standards. There is no adverse impact on the neighbouring HMO at 25 Radford Road as a result of this change. In addition the scheme is not considered to impact upon the character of the existing building or the character and setting of the Conservation Area.

Car parking and highway safety

The HMO has been in operation for a number of years and has a front drive sufficient to accommodate two cars. The parking requirement for a HMO is 1 space per 2 bedrooms which equates to 3 spaces for the current use and 3.5 spaces (rounded up to 4) for the proposed use. The Highway Authority have raised no objection to the proposal and it is considered that in highway safety and parking terms any such impacts arising from the minor nature of this proposal would not be sufficient to justify an objection on this ground.

Refuse/bin storage

The property has four bins located within the front curtilage of the property as a result of there being no access to the rear of the property for this and other properties in this area of Radford Road. This situation already exists and it is considered that the additional waste generated by one additional resident would not significantly worsen the situation to a degree that would warrant a refusal of planning permission.

Health and Wellbeing

The size of the room being created as a bedroom is indicated to be 7.48 square metres. Such bedroom accommodation has a minimum size set as part of the licence for a HMO as issued by Private Sector Housing. As the room is less than 10 square metres there is a requirement for a suitably sized common living/dining room to be provided.

The required alterations to the window to ensure a suitable outlook over the side courtyard area and the revised layout of the kitchen and communal facilities will be met to provide the necessary standard of accommodation in order for the licence to be issued.

SUMMARY/CONCLUSION

The proposed addition of one bedroom to the existing 6 bed HMO is not considered not to result in significant harm to a degree that would warrant a recommendation of refusal.

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: floor plans and amended floor plans dated 17th December 2014, ground floor plan indicating size of additional 7th bedroom dated 17th December 2014 and plan of front drive dated 13th January 2015 , and specification contained therein. **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.

H.M. LAND REGISTRY		TITLE NUMBER	
		WK354327	
ORDNANCE SURVEY PLAN REFERENCE	SP 3265	SECTION C	Scale 1/1250
COUNTY WARWICKSHIRE		DISTRICT WARWICK	
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