Planning Committee: 14 September 2021 **Item Number:** 6

Application No: W 21 / 0610

Registration Date: 04/03/21
Town/Parish Council: Leamington Spa **Expiry Date:** 29/04/21
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

1 Manor Farm Close, Leamington Spa, CV32 7FA
Application for the erection of a 4 bed House in Multiple Occupation (HMO) (use class C4), amendment to application W/16/1830. FOR Dr. Singh

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

RECOMMENDATION

Committee are recommended to grant planning permission.

DETAILS OF THE DEVELOPMENT

The application seeks planning permission for the erection of a 4 bed House in Multiple Occupation (HMO) (use class C4). This is an amendment to planning permission no. W/16/1830 which was for a development of C3 dwellings, including this property.

THE SITE AND ITS LOCATION

The application relates to an existing dwelling that has been recently constructed as part of a small development of similar properties.

PLANNING HISTORY

None relevant.

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)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS1 - Housing Development Within the Royal Leamington Spa Urban Area
- RLS4 - Housing Character Outside the Conservation Areas

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Object on the following grounds:

- Lack of off-road parking provision
- Would result in the sandwiching of a non HMO between 2 HMO's
- Lack of cycle parking

Councillor Kohler: Objects due to lack of parking and non-compliance with Local Plan policy H6 as the proposal together with application at 3 Manor Farm Close would sandwich a non HMO between 2 HMOs.

WDC Private Sector Housing: No objection.

Public response: 46 letters of objection have been received on the following grounds:

- Impact on neighbouring amenity
- Would be out of keeping with the area
- Would lead to parking issues
- Would increase levels of traffic
- Non-compliance with Local Plan policy H6

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 is 1 existing HMO out of 116 residential units. The existing concentration level is at 0.9%. The addition of one further HMO would increase the concentration of HMOs to 1.7% which is below the 10% limit of HMOs within a 100 metre radius.

b). The nearest bus stop is located on Lime Avenue which is within 400 metres walking distance of the property.
c). The proposal does not sandwich a non-HMO between 2 HMOs.
d). It does not lead to a continuous frontage of HMOs.
e). The property benefits from an internal bin store at lower ground floor which is to be retained as part of the proposal. The containers would therefore be stored in an area not visible 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.

It is noted that a number of concerns have been raised regarding a similar proposal for a proposed change of use to a HMO at no.3 Manor Farm Close that was submitted at the same time as the current application. Objectors noted that if both applications were to be approved this would result in a non HMO (no.2 Manor Farm Close) being sandwiched between two HMOs which is contrary to Local Plan policy H6. Officers shared these concerns and subsequently planning application reference W/21/0611 which proposed a change of use to a HMO at no.3 Manor Farm Close has been withdrawn.

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.

46 public objections have been received which focus mainly on the parking provision and the impact of the HMO on the amenity of neighbouring properties and the surrounding area. From an amenity perspective there is currently no known issue of any anti-social behaviour in the area and given the low concentration of HMOs in the locality it is not considered that the proposal is likely to introduce any such behaviour to an extent to which objection could be raised.

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

Parking & Highway Safety

The existing parking requirement for the 4 bedroom house is 3 spaces and the requirement for the proposed 4 bed HMO would be 2 spaces, according to the Council's adopted Parking Standards SPD. The proposed change of use would therefore not lead to an increase in the requirement for parking compared to the existing lawful use as a 4 bedroomed dwelling. Whilst the local concern regarding parking has been noted and understood, the proposed change of use would not lead to an increase in the requirement for off street parking.

The application site benefits from a rear garden leading onto a passageway to the rear and side of the garden area, cycle storage can therefore be achieved in the rear garden of the property.

The proposal would therefore be in accordance with Policy TR3 of the Local Plan.

Other Matters

Private Sector Housing have raised no concerns from a space and facilities perspective and are satisfied the development complies with the Council's standards. They have noted that the property would require fire precautions to LACORS standards. This will be added as an informative note.

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 for 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 site location plan and approved proposed floor plans, and specification contained therein, submitted on 04th March 2021. **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.