Planning Committee: 01 March 2016 **Item Number:** **9**

Application No: W 16 / 0055

Registration Date: 14/01/16
Town/Parish Council: Leamington Spa **Expiry Date:** 10/03/16
Case Officer: Jo Hogarth
01926 456534 jo.hogarth@warwickdc.gov.uk

10 Clarendon Crescent, Leamington Spa, CV32 5NR
Change of use C3 (Dwellinghouse) to a 3 no bed C4 (House in Multiple Occupation). No external or internal works proposed. FOR Mr C Young

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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 the proposed change of use.

DETAILS OF THE DEVELOPMENT

The proposal seeks to change the use of a Class C3 three bed single dwellinghouse to a Class C4 House in Multiple Occupation.

THE SITE AND ITS LOCATION

The site relates to one half of a pair of semi-detached houses situated within the designated Royal Leamington Spa Conservation Area on the north side of the road at the top of the turning head as Clarendon Crescent is a no through road. Number 12 Clarendon Crescent is set behind the application site and is accessed via a driveway. There is no off street car parking associated with this property and Clarendon Crescent is within a Residents Parking Zone (RPZ).

PLANNING HISTORY

There have been no recent planning applications submitted for this site. This area is covered by an Article 4 Direction which came into force on 1st April 2012, the purpose of which was to enable the Council to have control over the location of shared houses and flats within Leamington Spa. This means that whilst a change of use from a dwellinghouse to a small HMO (a house or flat being shared between 3 and 6 unrelated people) would not normally require a planning application, due to the Article 4 Direction planning permission is required for this proposal.

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)

- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (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)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (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)
- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

Guidance Documents

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

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

WDC Environmental Health: No objection.

Public response: 10 letters of objection have been received on grounds of parking issues, noise and anti-social issues; overcrowding with already too many HMO's within the area.

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 HMO uses in this area;
- Parking;
- Impact on the character of the area;
- Renewable energy, and
- Health and Wellbeing

Whether the proposal would cause or add to a harmful over-concentration of HMO use in this area

The property currently has three bedrooms and the proposed change of use would not increase this number and therefore the number of people living within the house is unlikely to increase. In accordance with the interim Policy regarding HMO's, within a 100 metre radius of the application site there are three other HMO's and including this, the proposal would equate to 3.6% of properties with HMO use. The Policy seeks to resist a percentage of greater than 10% within a 100 metre radius and therefore, in this respect, the application is acceptable. It goes on further to state that HMO's should be located within 400m walking distance of a bus stop, which this proposal will be, with bus stops on Rugby Road and should not create a non-HMO being sandwiched between 2 HMO's or lead to a continuous frontage of 3 or more properties within this Use Class. The property is also close to the town centre. In light of the scale of the proposal it is considered that it would be difficult to resist as the application would meet the requirements as set out through Policies DP1 and DP2 in the Local Plan in that there would be no substantial harm to nearby occupiers or the streetscene.

Parking

Policy DP8 states that development will only be permitted that makes provision for parking and does not result in on-street car parking detrimental to highway safety. The Supplementary Planning Document (SPD) Vehicle Parking Standards sets out Warwick District Council's detailed parking standards for developments.

The off street parking requirement for a three bed property is 2 spaces which is the same as for a three bed HMO. Therefore, whilst there is no off street parking for this property, there is no additional net requirement for parking and the proposal complies with the relevant policies.

The impact on the character of the area

The proposal does not include any internal or external alterations and therefore it is considered that the proposed change of use would not result in harm to the visual character or appearance of the streetscene or wider Conservation Area in which the property is located. The application thereby complies with Policy DAP8 in the local Plan which seeks to protect Conservation Areas. It is considered that the proposal would meet paragraph 134 of the NPPF and would not cause harm to the Conservation Area.

Renewable Energy

It is considered that the change of use from one type of residential use to another type of residential use will not have any additional demand on energy requirements and therefore there is no requirement for renewables in accordance with Policy DP13 and the associated SPD.

Health and Wellbeing

The application is not considered to have an adverse impact on health and wellbeing.

Other Matters

Within the site boundary, provision has been made for the storage of bins and recycling boxes which are not on the road side and would therefore be presented on collection day, adhering to the requirements set out in Policy DP1 in the Local Plan and the interim Policy which states that containers should not be visible from an area accessible by the general public.

SUMMARY/CONCLUSION

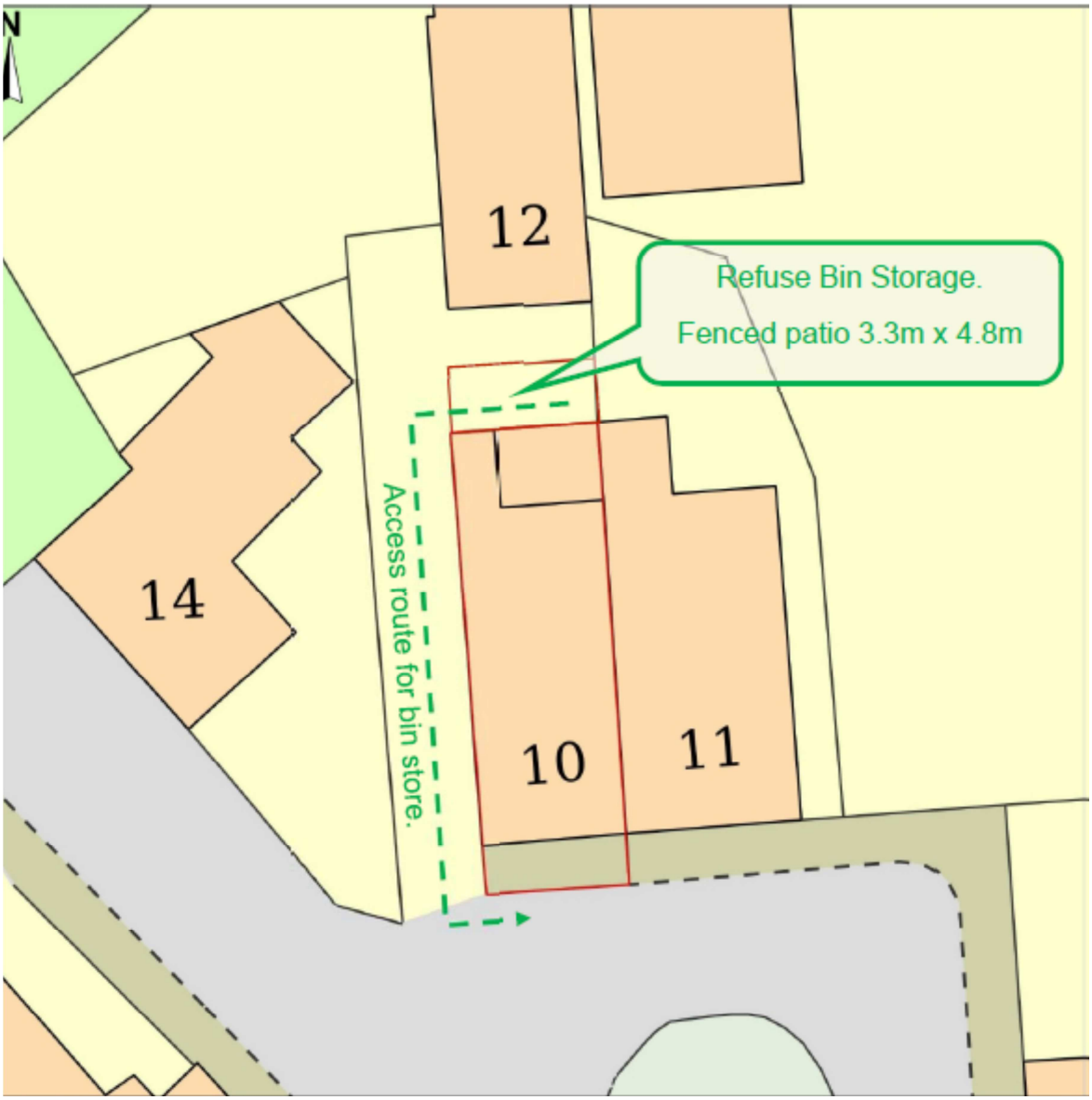
The application is considered to adhere with the criteria set out in the draft Local Plan Policy H6 and would be unlikely to lead to an over concentration of HMO's within this area to warrant refusal of the application. Furthermore, the parking requirement would not be increased for the change of use and there would be no adverse or substantial impact on the Conservation Area, streetscene or nearby neighbours.

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 and specification contained therein, submitted on 14 January 2016. **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.

Stamford Gardens
El Sub Sta
Beauchamp Lodge
site
Clarendon Cottage
The Coach House
Arden House
CLARENDON SQUARE


N
12
Refuse Bin Storage.
Fenced patio 3.3m x 4.8m
14
Access route for bin store.
10
11