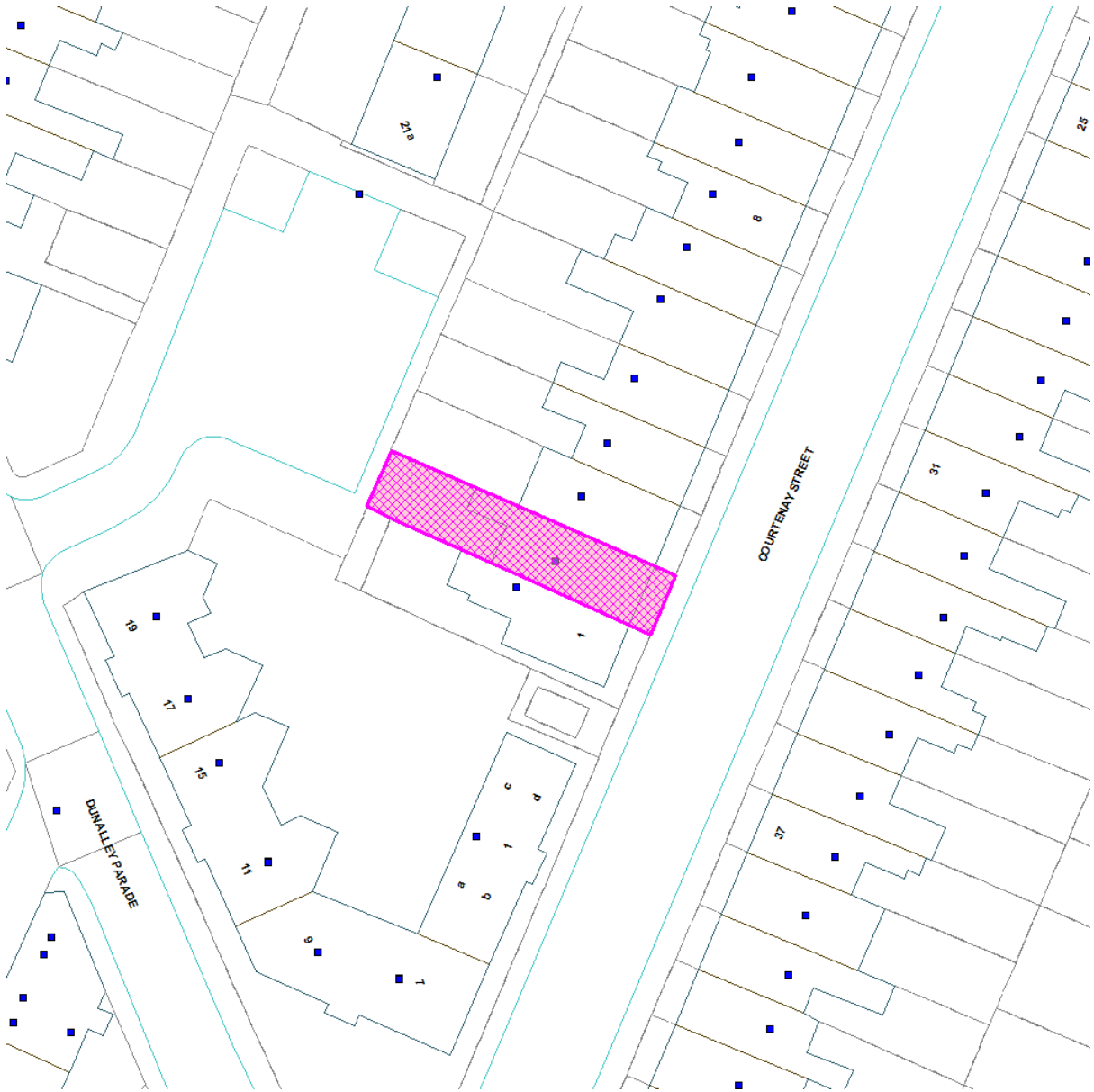


| | |
|---|---------------------------------------|
| APPLICATION NO: 16/00797/COU | OFFICER: Mrs Emma Pickernell |
| DATE REGISTERED: 4th May 2016 | DATE OF EXPIRY: 29th June 2016 |
| WARD: St Pauls | PARISH: |
| APPLICANT: Mr Vince Norvill | |
| AGENT: | |
| LOCATION: 2 Courtenay Street, Cheltenham | |
| PROPOSAL: Change of use from a 5 bedroom shared house to a 7 bedroom house in multiple occupation. | |

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a terraced house within a street of similar properties within the St Pauls Character Area of the Central conservation area. It has an existing full width two storey extension to the rear. The house has previously been in use as a 5 bedroom shared house, or House in Multiple Occupation.
- 1.2 Planning permission is sought for the change of use of the property to a 7 person HMO. The additional rooms will be provided through the renovation of the existing basement and the subdivision of the front room on the first floor.
- 1.3 The application previously included the provision of a dormer window on the rear roof slope. Members saw on site that this has already been constructed. The application was deferred from the previous committee at the request of the applicant who has subsequently requested that the application be considered without the dormer window i.e. simply the change of use of the building to a House in Multiple Occupation for 7 occupants.
- 1.4 The intention of the applicant is to make a separate application for the dormer window which would be considered separately.
- 1.5 Therefore as currently proposed the room in the roof would still be present and form part of the accommodation, however no consent would be granted for the dormer window. The roof space was habitable space which was rented out prior to the construction of a dormer window and had rooflights to the front and rear roof slopes.
- 1.6 The application comes before the committee at the request of Cllr Walklett.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

91/00425/PF 23rd May 1991 PER
Ground And First Floor Extension

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 2 Residential character in conservation areas
HS 3 Subdivision of existing dwellings
HS 8 Houses in multiple occupation
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Central conservation area: St. Paul's Character Area and Management Plan (July 2008)
Residential Alterations and Extensions Supplementary Planning Document (February 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

21st June 2016

Regarding the change of use from a 5 bedroom shared house to a 7 bedroom house in multiple occupation.

The property is a terrace house in Cheltenham on a class 4 road subject to a 30mph speed limit north of Cheltenham town centre. There has been no recorded collisions on the police collision database in the vicinity of the site on Courtenay Street in the past 5 years. The site is within walking and cycling distance of the town centre and associated services and amenities including frequent public transport links, therefore allowing for travel to and from the site by sustainable modes reducing reliance on private vehicle use. In this location therefore parking provision would not be required for the small increase in use proposed from a 5 to a 7 bedroom house in multiple occupation. Existing on-street parking restriction for permit holders and double yellow lines on junctions restrict parking and protect junctions.

Objections have been raised regarding parking pressure and traffic generation from the proposed change of use, however the limited availability of on-street parking is an existing situation, on-street restrictions prevent unsafe parking and it is not considered the change of use from a 5 bedroom to a 7 bedroom house in multiple occupation would significantly impact on existing parking or traffic generation resulting in a detrimental impact on highway safety to warrant refusal.

Therefore I recommend no highway objection to the application.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|-----------|
| Number of letters sent | 13 |
| Total comments received | 11 |
| Number of objections | 11 |
| Number of supporting | 0 |
| General comment | 0 |

The application was publicised by way of letters to 13 neighbours, a site notice and a notice in The Echo. Objections from 11 addresses have been received which relate to the following issues:

- Density of development
- Overpopulation of area
- Too many HMOs in the area
- Noise and disturbance. Impact on neighbours
- Parking problems
- Impact on conservation area
- Poor design of dormer
- Rubbish and bins

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) principle, (ii) highway safety, (iii) bin storage arrangements.

6.2 Principle

The application seeks permission for the conversion of the house to a 7 person HMO.

The General Permitted Development Order grants blanket consent for houses to switch between use as a dwelling and use as a small HMO without the need for planning permission. The definition of a small HMO is one used by up to 6 occupants.

As such were this property to be occupied by one less individual planning permission would not be required for the use. Therefore in considering the principle of the change of use; this turns on the impact that the 1 additional occupant would have. Officers view is that this would be negligible. This house is larger than some on Courtenay Street due to the presence of an existing two storey extension to the rear which houses two bedrooms and a kitchen. Therefore the accommodation provided is not cramped and provides a number of bathrooms and shared living space.

The authority is currently exploring the potential to limit Permitted Development Rights in regard to Houses of Multiple Occupation in areas of Cheltenham. It is clear from Planning Practice Guidance that the limiting of such rights should only come after a full consideration of evidence, and after public consultation. We aim to include discussion of potential article 4 directions as part of the Cheltenham Plan Preferred Option Consultation scheduled for this September.

Therefore the current application must be considered against the current policy framework.

6.3 Impact on neighbouring property

The proposed does not result in a significant adverse impact on the privacy of neighbouring properties. The dwelling will be used more intensively than it has in the past, however the 7th tenant is unlikely to result in any significant additional impacts in terms of general noise and disturbance. As such the proposal is considered to comply with policy CP4.

6.4 Access and highway issues

The views of the Highways Officer are outlined above. They confirm that no objections are raised to the proposal.

6.5 Other considerations

There is a back garden at the property which backs onto the car park for the Flats on Dunalley Parade. Bins and bikes can be stored here with the bins being presented on the street on collection day. This arrangement is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

There is a need for student accommodation in the town and the conservation area appraisal recognises that this can benefit the vibrancy of the area. Officers view is that the principle of the use is acceptable, especially bearing in mind that the property could be used to house 6 students without the need for planning permission.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.