



TO: Planning Committee North

BY: Head of Development

DATE: 2 October 2018

DEVELOPMENT: Full application for the change of use of a 6 bedroom house of multiple occupation (HMO) (Class C4) to an 8-bedroom house of multiple occupation (Sui Generis).

SITE: 10 Wellwood Close Horsham West Sussex RH13 6AL

WARD: Roffey South

APPLICATION: DC/18/1277

APPLICANT: **Name:** Mr Malcolm Crabbe **Address:** Hollies Pigbush Lane Horsham RH14 0QY

REASON FOR INCLUSION ON THE AGENDA: At the request of Cllr Cornell

RECOMMENDATION: To Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application is seeking planning permission to change the use of the existing dwellinghouse to an 8-bed house in multiple occupation (HMO), and therefore a change of use from Class C3 to sui generis. The proposal does not entail any external alterations, with the property having been recently extended under application ref: DC/17/0965 for a two-storey side extension.
- 1.2 The HMO would provide a communal kitchen and lounge with 3 en-suite bedrooms at ground floor level, with a further 5 en-suite bedrooms at first floor level. The site features a hardstanding which provides off-street parking for 4 vehicles to the eastern boundary, with a further single-space to the western boundary.

DESCRIPTION OF THE SITE

- 1.3 The application site comprises a two-storey semi-detached dwelling within an almost rectangular plot on the southern side of Wellwood Close. The site is within the built up area of Horsham with the surroundings dominated by residential dwellinghouses of a broadly consistent design and scale.

The existing building is currently occupied as a 6 bedroom HMO property. No external changes are proposed to the building as the proposal is to occupy two existing rooms which are not currently used as bedrooms.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

2.2 **National Planning Policy Framework**

2.3 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 There is no made plan for North Horsham Parish

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/0965	Erection of a two storey side extension	Application Permitted on 21.07.2017
DC/17/2297	Non material amendment to previously permitted application DC/17/0965 (Erection of a two storey side extension). Addition of small window on left hand elevation.	Application Permitted on 09.11.2017

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

3.2 **HDC Arboricultural Officer:** No Comment

3.3 **HDC Housing:** No Comment

OUTSIDE AGENCIES

3.4 **WSCC Highways:** No objection on transport grounds sufficient to resist the proposal

PUBLIC CONSULTATIONS

3.5 16 representations were received objecting to the application for the following reasons:-

- Parking
- Overdevelopment
- Privacy, Light and noise disruption

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The main issues are:

- The principle of a change of use
- Impact on amenity
- Highway Impact
- Other matters

Principle

- 6.2 The dwelling is currently in use as a 6-bed HMO within Use Class C4. This use did not require planning permission as there is permitted change of use between dwellinghouses and a small HMO (which allows up to 6 persons). The proposal therefore seeks permission for an additional 2-bedrooms, and a larger HMO.
- 6.3 The HDPF does not contain any specific policies (or supporting text) for houses in multiple occupation, with Policy 15, Housing Provision, setting out the general need for housing across the District. However what is clear is that the HDPF supports a mix of housing sizes, types and tenures to meet the needs of the District. It is also necessary to consider the proposed use against the National Planning Policy Framework (2018) (NPPF). While the NPPF does not contain specific policies on HMOs it recognises the need for housing to reflect the size, type and tenure demands for different groups in the community.
- 6.4 The site lies within a densely populated area of residential dwellings of varying types and sizes, and comprise an existing dwelling, outdoor space, and parking facilities. The proposal would essentially enlarge an existing HMO and would not therefore alter the balance or mix of properties within the location. It is therefore considered that the proposal would not be at odds with planning objectives of creating balanced communities, and the proposal would provide a type of housing for which there is likely to be an undocumented need within the District.
- 6.5 The principle of the proposed use is already established through a permitted change of use and the further expansion by two further bedrooms is considered acceptable in this location and would not result in any adverse impact on the prevailing character of the area. The key issues raised by the proposal are therefore the impact on amenity, for both future occupants and neighbouring residents, and the impact on highways.

Impact on Amenity

Neighbouring Residents

- 6.6 The application site is already in use as a 6-bed HMO, with the proposal essentially relating to the addition of 2 extra bedrooms. It is considered that the enlarged HMO, and the associated increased occupation of the building, would not inevitably result in increased

noise or disturbance for occupants of adjoining properties. The outdoor area is of modest dimensions and any use would be alongside similar amenity spaces, this would reduce the potential for impact to adjoining residents. It is therefore considered that refusal of the proposal on the basis of increased noise or disturbance could not be justified, and any future complaints would be most appropriately be investigated under Environmental Health legislation.

Future Occupants

- 6.7 HMOs are guided by separate legislation (under the Housing Act 2004) and this sets out the definition of HMOs and controls the standard and safety of accommodation, with internal requirements for room sizes and cooking/washing facilities set out in Private Sector Housing standards. For planning purposes it is considered that the proposal would provide an acceptable standard of accommodation for future occupants, with all bedrooms being en-suite and communal space available at ground floor level (and within the rear garden).

Highway Impacts

- 6.8 A number of representations have been received raising concerns relating to the impact of the use on highways, particularly in respect of the demand for on-street parking. It is acknowledged that on-street parking is in heavy demand and this is influenced by short-term displaced parking associated with neighbouring schools.
- 6.9 In respect of HMOs the Highway Authority's parking standards stipulate a maximum of 0.5 spaces per bedroom; the proposal would therefore likely result in an increased demand for 1 additional car parking space. While the proposal has potential to increase the number of cars parking at the property the site provides 5 off-road parking spaces which is greater than the anticipated maximum demand. There is no evidence that the existing use is creating capacity problems in the immediate surrounds.
- 6.10 It is considered that the proposal would not have a severe impact on the highway network, and no significant issues of displaced parking are anticipated having regard to the nature of the use, the parking standards adopted by West Sussex County Council, and the level of off-street parking already provided on site. While the concerns of neighbouring residents are appreciated it is considered that there are no transport grounds to resist the application (and the additional 2-bedrooms).

Conclusion

- 6.12 The site already comprises a HMO and the additional 2-bedrooms would not result in harm to the character of the area, and would not give rise to demonstrable harm to the amenities of the occupants of neighbouring properties or highway safety.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to the following conditions -

- 1 A list of the approved plans
- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-Occupation Condition:** The hereby approved use shall not commence unless and until provision for the storage of refuse/recycling has been made in accordance

with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** The hereby approved use shall not commence unless and until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The use shall not be commenced until the approved cycle parking facilities have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy 41 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/1277
Case Officer: Pauline Ollive