
Site Address:	34 Newbarn Road, Havant, PO9 3PX		
Proposal:	Change of use from Class C3 (dwellinghouse) to Sui Generis (house in multiple occupation for 7 occupants).		
Application No:	APP/16/00551	Expiry Date:	28/07/2016
Applicant:	Ms E Beck		
Agent:		Case Officer:	Tina Pickup
Ward:	Bedhampton		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site relates to a semi-detached two storey dwelling located on the east side of Newbarn Road. It is set back from the highway with a hardsurfaced forecourt that could accommodate 3 vehicles. Nos 32 - 42 are set in a curve, opposite the junction with Mitchell Road, behind an extra wide grass verge - therefore the accesses to the forecourts of each dwelling cross this unusually wide footpath.

Being on a curve the plot tapers with a wide rear garden - the dwelling has had a two storey side extension and a single storey rear extension. Boundaries are 1.8m close boarded fencing and shrubs. The site slopes down to the east slightly.

2 Planning History

02/65483/001 - Demolition of conservatory and construction of single storey rear extension., PERM,08/05/2002
00/65483/000 - Two storey extension on north side with gabled roofing above., PERM,04/09/2000

3 Proposal

The proposal seeks a change of use from a Class C3 dwellinghouse to a House in Multiple Occupation for 7 bedrooms - which is a Sui Generis use. There are no external alterations proposed, but internal works to create the 7 bedrooms - 3 would have en suites and the other 4 would share one bathroom. A kitchen and communal sitting/dining area are also proposed. The applicant has confirmed that each bedroom would be for single occupancy and therefore the maximum number of residents would be 7.

At the time of making the site visit (24/6/16) builders were on site making the internal conversions and one resident was already occupying one of the rooms.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011
CS16 (High Quality Design)

CS9 (Housing)
DM10 (Pollution)
DM13 (Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

Residential Parking and cycle Provision SPD 2010

5 Statutory and Non Statutory Consultations

Development Engineer - There are no HBC car parking standards for houses in multiple occupancy but it would seem reasonable to ask for 7 parking spaces that is one for each of the lettings.

The parking layout shows three parking within the curtilage but this would require a lot of manoeuvring of the cars to allow each car to exit the site

Environmental Health Manager - Contamination - This application has been submitted with minimal detail; notably absent is a design & access statement detailing fire safety provisions, means of escape, accommodation & storage standards (particularly in respect of kitchen facilities), and how the proposals meet the minimum requirements of "The Management of Houses in Multiple Occupation (England) Regulations 2006".

With regards pollution / contamination risks - These proposals represent a change of use between residential use classes (equivalent risk sensitivity). The property was originally built on greenfield land (between 1932-1957, exact date unknown), and I have not identified any known, likely or suspected sources of significant contamination or pollution that might affect future occupants. The construction date would suggest that asbestos is likely to be present / have been present. This is regarded as H&S issue where materials remain within the building (i.e. currently in use), but would be regarded as a contamination issue where present within soils. Some conversion works have previously been undertaken (2000, 2004), so on-site asbestos containing made ground is not unlikely.

It is considered to be disproportionate to require a ground condition report or asbestos survey be formally submitted, but I'd like to formally flag the issue to make liability of the applicant clear. I would recommend the informative below be included with any consent granted.-

"It is the responsibility of the developer to ensure that upon completion, the development is safe & suitable for its intended future use. The build-date for this property suggests that Asbestos Containing Materials (ACM) are likely have been used in the original construction. These materials may have been disturbed during prior alterations and could be present at the property as buried demolition wastes within topsoil / made ground under hard-standing or within landscaped areas. It is recommended that a pre-conversion Asbestos survey be undertaken to identify any ACM within the property that might be disturbed during construction works, in order that these may be appropriately managed. Buried demolition waste may be identified during the installation of new below ground services, when accessing enclosed service ducts or voids or undertaking landscaping tasks. In the event that any deposits / inclusions comprising fibrous or any other obvious waste materials

be encountered during works, construction should cease in that area of the site until an appropriate assessment of the nature and extent of possible ACM has been undertaken, and appropriate actions taken to mitigate any identified risk. Your Building Control provider should be notified of any discoveries of buried suspected ACM to ensure that you remain compliant with the provision of controlled Document C. Environmental Health should be notified of any ACM identified within soils, and provided with details of how the material has been dealt with"

Environmental Health - Pollution - The applicant will have to obtain a licence to operate this property as an HMO; no particular conditions or informatics except to note that additional bins will be required for this number of occupiers

Housing - HMO's in themselves are not a problem if they are well designed and well managed, and to be honest with recent and planned Welfare Reform changes they are a type of accommodation that we could do with more of in Havant and I would say that the owner will have no issue with filling the rooms

Housing Standards - I have been out to this property a couple of times in the few months to give guidance on the standards expected in an HMO.

This particular HMO is not licensable as it is only two storey. I have seen the completed works and apart from a couple of additional requirements the house is of an acceptable standard (space, fire, amenities etc) for the occupancy of 7 rooms.

The landlord seems to have taken the refurbishment relatively seriously and therefore I do not have any particular concerns over the management of the HMO at this time

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 3

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Summary:

Comment:

7 Planning Considerations

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon residential amenity
- (iii) Highways Issues
- (iv) Other Issues

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. In this instance regard must be had to Class L of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 which allows the change of use of Class C3 dwellinghouses into Class C4 Small HMOs which in turn would allow the occupation of this dwelling by up to 6 unrelated residents sharing basic amenities such as kitchen and bathroom without the need for planning permission. Therefore this application, for 7 residents, must assess the additional impact of just one resident over and above the 6 that could be undertaken as permitted development.

(ii) Impact upon residential amenity

There is no doubt that the occupation of this former single family dwelling by 7 unrelated residents leading independent lives would alter the character of the site in terms of potential comings and goings, activity and noise and disturbance. However, considering 6 unrelated residents could occupy the site as a small HMO as permitted development, there is unlikely to be any significant extra material harm to neighbouring residential amenity from one additional resident. The surrounding area is residential in character with family housing - there is no known concentration of similar HMOs. Other Authorities experience amenity issues with the cumulative effect of several HMOs in close proximity, but this is not the case here.

There have been no objection letters to the proposal. Policy CS9 requires a mix of dwelling types, sizes and tenures to help meet identified local needs and contribute to mixed and sustainable localities. The Housing Officer has indicated that Havant has such a need and the rooms will be easily filled. Policy CS16 and DM10 seek to protect residential amenity from noise, smell, privacy etc and there is considered no likely detrimental harm caused by one additional resident over and above the permitted development allowance. The internal layout is largely unchanged from as a C3 family dwelling so the kitchen remains abutting the party wall of the semi-detached dwelling where it is assumed the internal layout is a handed version and thus adjacent No. 32's kitchen. The former living room becomes a bedroom and thus if adjacent next doors living room would be less likely to have a non-compatible noise implication to No 32 but would rather suffer itself. Upstairs the bedrooms remain against the party wall.

(iii) Highway Issues

It is noted that only 3 on site car parking spaces would be provided and with 7 residents it is possible that up to 7 cars could be associated with the proposed use. However again it must be noted that the use of the site as an HMO for up to 6 residents would not require planning permission and so the additional one resident and one vehicle must be considered. There would be no highway safety issues from the additional vehicular movement and in terms of highway amenity ie the effect on the locality from one additional vehicle parking, it is noted that the area has no parking restrictions. The access across the wide footpath is also sufficient to park a vehicle without blocking the pavement - this would be on the adopted highway and as such

would be legal parking. Hence within the vicinity of the site there is available on street parking, considered sufficient to accommodate the additional car without causing any loss of highway amenity.

The plan also proposes a shed for secure cycle storage.

(iv) Other Issues

The consultee feedback re bins and possible asbestos can be attached as Informatives.

8 Conclusion

On balance it is considered that as the occupation of the dwelling by 7 unrelated residents sharing basic facilities is only marginally greater than allowed under permitted development, this would be unlikely to have any material harm on neighbouring residential amenity. There is no known concentration of similar HMO's to exacerbate amenity issues and as such the proposal is considered acceptable and compliant with relevant policies.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00551 subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.
- 2 The accommodation hereby permitted shall be occupied by a maximum of 7 residents unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To protect the surrounding residential amenity from an over-intensive use, having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1:1250 Location Plan
Existing Layout
Proposed Layout
Parking Plan

Reason: - To ensure provision of a satisfactory development.