

Officer Report On Planning Application: 15/03862/FUL

Proposal :	Alterations and the change of use of property to a larger House of Multiple Occupation (HMO) (sui generis use) (GR 355165/115265)
Site Address:	83 Hendford Hill Yeovil Somerset
Parish:	Yeovil
Yeovil (South) Ward (SSDC Member)	Cllr J Field Cllr N J Gage Cllr S McAllister
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	20th October 2015
Applicant :	Mr B Oozageer
Agent: (no agent if blank)	Alan J Young Ltd The Lodge Penn Hill, Yeovil Somerset BA20 1SF
Application Type :	Other Change Of Use

Reason for referral to Committee

This application is referred to the committee at the request of Cllr Nigel Gage, one of the Ward Members with the agreement of the Area Chairman to enable concerns over the level of parking, the impact upon the Conservation Area and the comments of the neighbours to be fully debated.

Site Description and Proposal





The site is located on the south-eastern side of Hendford Hill, near to the junction with Southwoods. The property is a large detached dwellinghouse located within the designed Conservation Area. To the front are a vehicular access and an area of hard standing.

Hendford Hill is the classified A30 and is an important route through Yeovil. Double yellow lines exist on both sides of the road. In front of the application site is a pedestrian refuge to allow safe crossing of the road.

This application seeks permission for the conversion of the property to a large HMO (*sui generis* use). In detail it is proposed to convert the 3 storey property into 9 en-suite rooms, with shared hall, kitchen, bathroom, utility and conservatory in the main house. In an out building is a shared games room and a further en-suite room.

To the side of the property are an area for the parking of 10 bicycles and an area for bins. The hard standing is proposed to be used for the parking of 6 cars. The Design and Access Statement says that additional parking could be provided if doubled up.

The submitted Design and Access Statement suggests that the HMO would provide much needed accommodation for professional people employed by local business.

Amended plans have been received that have showed the existing attached carport to the side and confirmation that it would be retained.

During the course of the application further information has been supplied from the agent in relation to the current and proposing working of the HMO.

o It has been detailed that the property is already being occupied by six people and only two of the parking spaces are in regular use. The applicant owns other HMO's in Yeovil

and the property will be well managed and maintained by the applicant who has high quality accommodation. The bedrooms will be occupied by single professionals employed by local companies such as Westlands and other nearby engineering firms. Occupants will be on short or long term contracts and there will be some international residents. The international residents and those on short term contracts do not have a need for a car. Either transport is arranged or due to going to the same place there is an element of car sharing.

o No external alterations are proposed to the dwelling and the building could easily be reused as a single dwellinghouse.

o No parking standards for HMO's are detailed in the standing advice and that the dwelling can be used for up to six residents as a HMO without any planning permission with no control over level of parking.

HISTORY

00/02942/FUL - The erection of a replacement conservatory to the side of dwellinghouse - Conditionally approved - 5/4/01

911503 - The erection of a building for use as a snooker and recreation room - Conditionally approved - 14/8/91

771145 - Construction of additional vehicular access - Conditionally approved - 11/10/77

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

On the 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted. Therefore it is considered that the development plan comprises this plan.

Policies of the adopted South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Strategy

HG5 - Achieving a Mix of Market Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

EQ3 - Historic Environment

National Guidance

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

CONSULTATIONS

YEOVIL TOWN COUNCIL - Recommends approval.

COUNTY HIGHWAY AUTHORITY - Standing advice applies. In this case ensuring that there is sufficient parking and turning on site. It is however noted that there are no specific details

in relation to HMO.

SSDC HIGHWAYS CONSULTANT - Initially raised concerns over the level of parking on the site. In the basis of the additional information gave the following comments;

"I understand that an HMO of up to six rooms can be provided without the need for planning permission. The submitted plans shows that six car parking spaces are available at present although I would question the ability to use one of the delineated spaces and still allow sufficient room for other vehicles parked in the remaining spaces to be able to turn within the site. Therefore, at present the building could be occupied by six residents using five car parking spaces in a reasonable manner.

The agent states that the building is actually occupied by six residents at present yet only two of the spaces are in regular use. The agent points to the current use of the building, providing high quality accommodation to single professionals (not couples), and the sustainability credentials of the site. The management of the building is quite key in that prospective occupiers would be made aware of the on-site car parking provision and I am persuaded by the arguments that the premises will be managed in this way with instructions not to park on neighbouring streets. On the basis that an additional four rooms are effectively being sought with the current availability of three car parking spaces, on balance, I consider it would be unreasonable to raise a highway objection to the proposal, given the guidance set out in the Somerset Parking Strategy. I would prefer the frontage wall to be lowered to a maximum height of 600mm to improve visibility up the hill, if such action is achievable/acceptable. I would also recommend the proposed cycle parking facilities are suitably conditioned."

REPRESENTATIONS

6 letter of objection and a petition signed by 50 residents of Hendford Hill, Nursery Road and Southwoods has been received with the following comments made;

- o There is already a parking problem in Southwoods caused by commuters and employees of Bradfords and this would exacerbate these issues.
- o Occupiers of nearby flats despite having their own parking, park in Southwoods.
- o The plans show 10 en-suite rooms which could be occupied by 20 people. Therefore fails to see how 6 parking spaces are appropriate and would result in further parking problems in Southwoods.
- o There is potential for reversing onto Hendford Hill causing highway danger for traffic.
- o Considers the proposal to be an overdevelopment of the site with increased noise.
- o The proposals would have an adverse effect upon the Conservation Area.
- o Increased number of vehicles entering and leaving the site.
- o The area has resulted in a lot of changes from separate houses to flats, children's nursery, hostel accommodation, old people's accommodation and guest houses. The proposal would result in a further change to the community and environment.
- o Questions whether the kitchen area is sufficient for 10 people.
- o Potential greater chance of deterioration of the property.
- o Large number of wheelie bins could result in a hazard.

In addition a letter has been received from the Member of Parliament for Yeovil. The following comments are made;

- o Considers that not only on-site parking provision needs to be considered but also the general pressure on parking in the area.
- o Supports the suggestion for improved cycle facilities but understands residents'

concerns. Wonders if a plan to manage the issue be considered as part of the application.

CONSIDERATIONS

Planning permission is not required for the change of use from a dwelling house (C3) to a HMO (C4) providing that it is restricted to 6 residents. Therefore the key considerations of this application are does the additional 4 residents result in unacceptable harm.

Principle

The site is located within the urban development of Yeovil as defined in the Local Plan. In addition there is a mix of uses in the area and therefore the principle is accepted.

Parking issues and highway safety

By far the biggest concern by local residents is parking. Parking is restricted in Hendford Hill by reason of double yellow lines and there is already parking congestion within neighbouring roads of Nursery Road and Southwoods.

Additional information has been provided by the agent to explain the proposed operation of the HMO and also that the property is currently operating as up to 6 residents with only 2 car parking spaces currently in use. The sustainability benefits of the location were also detailed. In addition it has been confirmed that the premises will be managed to ensure that there would not be parking on neighbouring streets.

Bicycle parking is proposed for 10 cycles to serve the 10 rooms and there is 5 useable parking spaces provided on site.

On the basis of this information the SSDC Highways Consultant and the requirements of the Somerset Parking Strategy, considers that it would be unreasonable to raise a highway objection.

Concern has been raised over highway safety with additional movements into the site and potential reversing onto Hendford Hill. It is not considered that utilising an existing access onto the classified road would result in any danger. Likewise there is sufficient turning on site to allow vehicles to enter and exit the site in forward gear. As such it is not considered that the proposal would result in highway danger that would warrant refusal of the application.

In assessing all the above comments and the merits of the scheme, the proposals are considered to comply with Policies TA5 and TA6 of the adopted South Somerset Local Plan.

Residential Amenity

Concern has also been expressed that the proposed intensification of use would result in an adverse effect upon residential amenity through noise. No external changes to the property are proposed. There is a communal rear garden that would be available to the occupiers. An outside amenity area is important to be able to relax outside. There is no indication that there would be excessive noise due to more people living in the property. Large families with young children can often cause more disturbances. It is therefore considered that the proposal does not adversely affect residential amenity and complies with Policy EQ2.

Visual amenity / Character of Area

The site is located within the designated Conservation Area. As required by legislation, any

development within a conservation area should either preserve or enhance that character or appearance of the area. No external changes are proposed to the dwelling and only minor internal changes are proposed to facilitate the change. There is a mix of uses within Hendford Hill and some of the larger properties have been converted into flats. The conversion to flats are often more intrusive as more subdivision is required.

The area to the front of the property is already laid to hardstanding therefore there is no physical change to this area. The road frontage is surrounded by a low brick wall with planting behind. This is to be retained.

The SSDC Highways Consultant has suggested that the existing boundary wall could be reduced in height. However the wall is an important feature within the Conservation Area and any alterations would be detrimental. This alteration was only suggested if possible.

On the basis of the above it is considered that the proposals preserve the character and appearance of the area. As such the proposals comply with Policies EQ2 and EQ3 of the adopted South Somerset Local Plan.

Conclusion

The proposed change of use to a larger HMO (sui generis use) has brought about a lot of public interest. However the proposals are not considered to result in an adverse highways impact, not considered to adversely affect visual or residential amenity and preserve the character and appearance of the Conservation Area. As such the proposals comply with Policies TA5, TA6, EQ2 and EQ3 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION:

Grant planning permission for the following reason, subject to:

01. Notwithstanding the neighbour comments the proposals do not result in an adverse highways impact, do not adversely affect visual or residential amenity and preserve the character and appearance of the Conservation Area. As such the proposals comply with Policies TA5, TA6, EQ2 and EQ3 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 3858/02A and 3858/03A received 13 October 2015.

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

03. The use hereby approved shall be occupied by no more than 10 people and the communal areas (conservatory, utility and games room) as shown on drawing 3858/02A shall remain available for all residents.

Reason: To determine the scope of the application and in the interests of residential amenity in accordance with Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

04. The cycle parking shown on approved drawing 3858/02A shall be installed before the implementation of this permission and thereafter retained for the storage of bicycles in association with use hereby approved.

Reason: In the interests of sustainable travel in accordance with the Somerset Parking Strategy (March 2012)

05. The area allocated for parking and turning on the submitted plan, Drawing no. 3858/03A, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policies ST5 and ST6 of the adopted South Somerset Local Plan 2006 - 2028.