

App.No: 151334	Decision Due Date: 15 th March 2016	Ward: Devonshire
Officer: Thea Petts	Site visit date: 12 th February 2016	Type: Planning Permission
Site Notice(s) Expiry date: 11 th February 2016		
Neighbour Con Expiry: 11 th February 2016		
Press Notice(s): N/A		
Over 8/13 week reason: Referred to Committee from Delegated		
Location: 9 Willowfield Road, Eastbourne		
Proposal: Proposed change of use from a single dwelling into a 7 roomed HMO		
Applicant: Mr Chris Brooks		
Recommendation: Approve Conditionally		

Executive Summary:

The scheme proposes the change of use of a single private dwelling to a House in Multiple Occupation with seven available residential rooms.

It is noted that the property has been licenced as a House in Multiple Occupation since 10th March 2010 (initially for up to 6 occupants). Members should note that a single private dwelling can operate as a House in Multiple Occupation for up to six unrelated individuals without requiring planning permission to do so.

This application has been referred to the Planning Committee from delegated due to the opposition to the scheme and for Members to debate the issues involved.

Planning Status:

Residential property located in a predominantly residential area

Relevant Planning Policies:

National Planning Policy Framework 2012

2. Ensuring the vitality of town centres
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities

10. Meeting the challenge of climate change, flooding and coastal change

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C3: Seaside Neighbourhood Policy

D1: Sustainable Development

D10a: Design

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Area

HO20: Residential Amenity

UHT1: Design of New Development

UHT4: Visual Amenity

Site Description:

Willowfield Road is located in Devonshire Ward, east of Seaside. The road runs on a north to south axis, adjoining Belmore Road to the north and Langney Road to the south. Like a crescent, Willowfield Square adjoins the road on the east side of the road in two places, creating a green space in the centre. The built environment is typified by two storey Victorian terraced houses and is predominantly residential.

Relevant Planning History:

EB/1987/0174

C/U FROM GUEST HOUSE TO SINGLE PRIVATE DWELLING

Approved Unconditionally - 1987-04-09

EB/1967/0303

RECONSTRUCTION OF EXISTING LEAN-TO EXTN AT REAR OF GUEST HOUSE

Approved Unconditionally - 1967-06-22

Proposed development:

The applicant seeks permission to change the use of the property from a single private dwelling to a House in Multiple Occupation with seven available bedrooms. According to the submitted plans, there are six existing available bedrooms at the property.

The development would result in the conversion of the existing ground floor lounge and there are to be no external alterations as part of the development. The room has patio doors which open out onto the rear courtyard garden.

Consultations:

Internal:

Specialist Advisor (Waste) – response dated 16th February 2016:

From the proposed application, and the location of the property, it would appear that the space available for the storage of waste receptacles on the property is already extremely limited...

Conservatively, space would need to be found for at least 4 x 240ltr wheeled bins (2 x refuse, 4 x recycling).

These bins would need to be stored on the property, and only placed on the highway on the day of collection.

If they currently have 2 x 180ltr wheeled bins at the moment, they're likely at capacity...the addition of one additional bedroom is not likely to make a huge amount of difference.

...HMO Regs 2006 make it a requirement to ensure that there are sufficient bins or other suitable receptacles for the storage of refuse. The problem with this particular site is there is a very limited amount of space to store bins off the highway. If the applicant can confirm what their storage arrangements are, then it will show that they are compliant (in which case I won't have any issues).

Specialist Advisor (HMO Licencing) – no comment received

External:

Highways ESCC – no comment received

Neighbour Representations:

Two objections have been received and cover the following points:

- There are a number of HMOs in the immediate area
- Concerns with regards to car parking and obstructions caused by cycle parking
- Increase in noise levels at unsociable hours
- Negative impact on refuse and recycling collection and attributed vermin problems which have already required special attention in the past
- Tenants of HMOs have no personal interest or little control over the appearance and maintenance of the properties in which they live
- House buying families no longer attracted to the area due to the number of HMOs nearby

Appraisal:

Principle of development:

There is no objection in principle to the proposed development provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity, the character of a listed building or conservation area in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

Policy D2 of the Core Strategy supports economic prosperity, the achievement of a sustainable economy and contributing to a town where people want to live and work. Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity.

The application site, although still considered to have planning status as a single private dwelling (in which up to six unrelated individuals can live), has been licenced as an HMO since March 2010, initially for up to six occupants. The proposed development would change the use of the property to Sui Generis as a house in multiple occupation for more than six unrelated individuals.

There have been two objections against the proposed development. These are principally concerned with the change of use to a seven roomed HMO. It is noted that there are a number of licenced HMOs on Willowfield Road and in Willowfield Square already. However, the majority of these have six or fewer occupants, and as such in planning terms are considered to be single private dwellings.

The HMOs operating with a licence in Willowfield Road and Willowfield Square are listed below. The maximum occupancy allowed by the licence is indicated:

- 2 Willowfield Road – 4 (unlicensed)
- 4 Willowfield Road – 9
- 5 Willowfield Road – 7
- 6 Willowfield Road – 8
- 9 Willowfield Road – 6
- 10 Willowfield Road - 5
- 13 Willowfield Road – 6
- 14 Willowfield Road - 6
- 15 Willowfield Road - 6
- 23 Willowfield Road – 5
- 31 Willowfield Road – 5
- 35 Willowfield Road – 5
- 43 Willowfield Road -5
- 45 Willowfield Road – 5
- 5 Willowfield Square - 5
- 6 Willowfield Square - 5
- 12 Willowfield Square - 5
- 13 Willowfield Square – 5
- 17 Willowfield Square - 5
- 21 Willowfield Square - 6
- 22 Willowfield Square - 6
- 23 Willowfield Square - 6

- 25 Willowfield Square – 6

Therefore, in planning terms the majority of the properties on Willowfield Road and Willowfield Square are considered to be single private dwellings and the change of use of 9 Willowfield Road to Sui Generis to enable the property to operate as a seven roomed HMO is therefore not considered detrimental to the residential amenity of occupiers of surrounding properties.

Increasing the capacity of this particular residence by one bedroom is not considered likely to have a detrimental effect on the area and the change of use of the property not considered to make a significant difference to material planning considerations. However, if in the future the intensity of the HMO were to be increased further, the situation would need to be reassessed. In addition, the potential impact the intensification of the residential use may have with regards to waste will be reflected in a recommended condition which will require discharge prior to the occupation of the converted room. This is to ensure that the refuse and waste provision is appropriately managed at the property going forward.

Design issues:

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state that proposals will be required to harmonise with the appearance and character of the local area. In addition, Policy B1 of the Eastbourne Core Strategy provides the spatial vision and strategic objectives which seek to ensure that future growth in Eastbourne is delivered at an appropriate level and in a sustainable manner and Policy B2 seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

There are to be no external alterations as part of this proposed development. As such, there will be no attributed design implications or design concerns.

Impacts on highway network or access:

There is unrestricted parking available on Willowfield Road and the adjoining roads. In addition, the property is located close to the Town Centre and major transport links. There are good cross-town transport links nearby and local amenities are within walking distance.

Therefore it is considered that it would not be necessary for an additional resident to require the use of a car, and as such, may not own one. Nevertheless, if an additional resident did require a car, there is unrestricted parking on Willowfield Road and the surrounding roads.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations

have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposed development, changing the use and effectively increasing the residential capacity of the property, is considered to have very little impact on the residential amenity of the area and is in-line with the aforementioned policies.

The property has been licensed since 2010 for 6 rooms (6 occupiers) and from 2015 for 6 rooms (8 occupiers). Given this it is considered that an additional room would not materially affect the character and the appearance of the site and surrounding nor would it result in a material loss of residential amenity. As such the scheme is recommended for conditional approval.

Recommendation:

Approve Conditionally

Conditions:

- 1) Time Limit
- 2) Approved Drawings
- 3) Notwithstanding the details of the approved plans, the converted room (lounge) shall not be occupied until details regarding refuse/recycling bin stores and collection regime for the residential unit hereby approved are submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site prior to the use commencing and retained as such thereafter.
Reason: To ensure that refuse associated with the development is disposed of responsibly and does not detrimentally impact the appearance of the area or occupiers of surrounding residents

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.