Expiry Date – 3/1

Development Control – Delegated Officer Report

Application Number: AWDM/1603/18 Recommendation – Refuse

Site: 41 Park Avenue, Shoreham

Proposal: Change of use of a 6 bedroom House in Multiple Occupancy (Class C4) to a 7 bedroom House in Multiple Occupation (Sui Generis) for a maximum of 7 working professionals only.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 13/12

Site and Surroundings

This application relates to a detached bungalow on the west side of Park Avenue. The property has been extended into the roof with dormers on both sides. A single storey rear extension was added in the last 2 years and the garage was also converted into a habitable room. Subsequent to these works the house was converted into a 6 bedroom HMO (C4) under Class L, Part 3 of the GPDO and duly licensed as such.

The front garden has been given over to parking for 4 cars.

The property is not in a conservation area and is not listed. Park Avenue is a largely residential street which extends south off of the Upper Shoreham Road.

Proposal

The property is a six bedroom HMO. 5 ground floor bedrooms are en-suite. A 6th bedroom in the loft is not en-suite and the occupier of this room uses a communal bathroom on the ground floor. The property also has a shared kitchen and living room.

There is a 7th room in the loft, marked as a 'study'. This application seeks permission to use this 7th room as an additional letting room.

Relevant Planning History

AWDM/1189/16 - Application for Lawful Development Certificate for proposed single-storey rear extension to west elevation and single-storey side extension to south elevation. Granted 19.9.16

SU/208/90 - Retrospective Application For Rooms In Roof,With First Floor Extensions On North & South Sides & Addition Of Ridge To Roof. Granted 3.1.91

Consultations

Private Sector Housing:

This property is currently a licensed House in Multiple Occupation. It is currently licensed for up to 6 adults. It is a very well managed HMO and the property is in very good condition.

The plan marked "latest plan" on the relevant documents on planning portal is the current layout of the property. I understand from the application that the plan is to let all 7 potential letting rooms to 7 single adults. Unfortunately the room marked "room 7" on this "latest plan" in the planning application is not large enough for an adult to use as a letting room. We therefore cannot allow an adult to let this room under the current HMO licence. Room 7 is 6.05m^2 and the minimum room size required for use by an adult is 6.51m^2. Room 7 is only large enough for a child under the age of 10 years to use. Therefore we would not be able to licence the property for 7 adults if the plan is to have 7 adults in all 7 letting rooms i.e. having all single letting rooms as suggested in the planning application. We could licence the property for more than 6 adults if the applicant wants to use any of the rooms over 10.22m^2 for couples to share. Or we can licence room 7 for a child under the age of 10, but this is unlikely to useful to the owners.

Alternatively, if the applicant wants to increase the floor space of room 7 to at least the minimum 6.51m^2 (with a ceiling height above 1.5m) then we could consider this room for use by an adult. If this is something they want to do we would advise that they liaise with this department first before instructing any works to avoid any futile works.

Representations

Two representations received from Nos. 48 (on behalf of No. 50 also) and 52 as follows:

1. On street parking will increase. There are only 4 spaces off street. This will inconvenience neighbours and possibly prevent safe access for emergency vehicles .

2. No 50's drive is frequently obstructed by parked cars.

3. Two primary schools and two nurseries in the street give rise to significant on street parking in the day, especially at pick up and drop off. A 7th tenant is likely to require on street parking which is likely to force neighbours to park further from their own homes.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018
Adur Local Plan 2017 Policies 1, 2, 15 and 20.
Technical housing standards — nationally described space standard – DCLG March 2015.

Planning Assessment

Principle

The principle of development can be supported as it would enlarge a licensed HMO which is reportedly well run and fully occupied. For consideration is the quality of accommodation, neighbour impacts and highway safety.

Quality of accommodation

As measured by colleagues in health the existing room is only 6.05 sqm. The minimum size of a licensable room suitable for adult occupation is 6.51 sqm. It is not possible to enlarge room 7 without extending the building.

Adopted Local Plan policy 20 states that:

New dwellings across all tenures will be expected to meet the minimum nationally described space standards unless it can be demonstrated that, in terms of dwellings created through conversion or subdivision, there are exceptional reasons why some or all of these requirements cannot be met.

The DCLG Technical housing standards — nationally described space standard of March 2015 in para 10 c. states:

in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m2 and is at least 2.15m wide

para 10. f states:

any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage.

And 10 i. states:

the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area.

Environmental Health officers have inspected the site and confirmed that they would not license this room for an adult to occupy, which is what the applicant is after. It fails to meet the minimum nationally applied space standard for a single bedroom and is therefore of poor quality.

Neighbour amenity

The existing HMO is well run. Neighbours comments do not relate to noise and disturbance, other than in parking terms. There is no reason to expect a 7th occupant would have an unneighbourly impact.

Highways:

The site has 4 off street parking spaces. It is within reach of Shoreham station and bus routes on the Upper Shoreham Road or from the town centre. There are no parking restrictions in Park Avenue. An objection on highways grounds could not be substantiated.

Recommendation REFUSE for the following reason:

The proposed room is too small to accommodate an adult and as a consequence would provide cramped and poor quality accommodation contrary to policy 20 of the Adur Local Plan.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 13/12/18
Authorised and signed by:	Peter Barnett	Date: 13 December 2018