



Report to: Planning Committee 24th January 2019

Report of: Deputy Director of Economic Development & Planning

Subject: PLANNING APPLICATION P18K0466: PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION TO AN EXISTING 5 BED HMO TO BEDROOM TO FORM 6 BED HMO USE CLASS C4.

Recommendation

1.1 The Deputy Director of Economic Development & Planning recommends that the Planning Committee grant planning permission, subject to the conditions set out in the plans list.

2. Background

The application was validated on the 11th December 2018 and expires on the 1st February 2019. The application has been called in by Councillor Udall on grounds of impact on neighbouring amenity.

3. The Site and Surrounding Area

- 3.1 The proposals relate to an existing five bedroom terraced dwellinghouse at 22 Bozward Street. The site is within a predominantly residential area within the St Johns Ward to the west of the city centre. Bozward Street is characterised by terraced properties of a similar size and design to number 23. There is however evidence of personalisation within the streetscene and to the rear of the properties.
- 3.2 The accommodation consists of three ensuite bedrooms at ground floor, a kitchen and a dining room. There is also an additional three ensuite bedrooms at first floor. The agent has also confirmed that there will be no additional bedrooms in the loft. The proposal does not include any additional bedrooms. In terms of car parking the property is currently served by a driveway to the front of the property. The property also has a private garden area to the rear.
- 3.3 The site is not a within a conservation area nor is it a statutory listed building or subject to any natural environment policies within the South Worcestershire Development Plan 2016.

The Proposal

- 4.1 The proposal is for the erection of a single storey rear and side extension.
- 4.2 The proposed extension is to facilitate an internal rearrangement of the accommodation and to extend the existing kitchen and dining room, the rear extension also allows for the addition of a 6th bedroom increasing the size of the property from a 5-bedroom HMO to a 6-bedroom HMO.

5. Planning Policy

- 5.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.
- 5.2 The Development Plan for Worcester now comprises:
- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
 - The Worcestershire Waste Core Strategy, which was adopted on December 2012.

South Worcestershire Development Plan

- 5.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 1 Overarching Sustainable Development Principles
SWDP 4 Moving Around South Worcestershire
SWDP 21 Design

Material Considerations

1. National Planning Policy Framework

- 5.8 The Revised National Planning Policy Framework (NPPF) was published and came into effect on 24th July 2018. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.
- 5.9 The NPPF outlines a series of considerations against which delivering sustainable development should be assessed. Paragraph 186 of the NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. LPAs are advised at paragraph 187 of the NPPF to look for solutions rather than problems and decision-takers are asked to approve applications for sustainable development where possible.
- 5.10 The Government believes that sustainable development can play three critical roles in England: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities; and an environmental role, protecting and enhancing our natural, built and historic environment.

2. National Planning Practice Guidance

- 5.11 On 6th March 2014 the Government also published National Planning Practice Guidance (NPPG) that comprises, amongst other matters: Design, Health and Wellbeing, Noise, and Use of Planning Conditions.

6. Planning History

- 6.1 P18K0299 - Erection of single storey rear extension. (Withdrawn) (23-10-18)

7. Consultations

- 7.1 Formal consultation has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees have been received in relation to the proposals:-

Highway Authority: No objections subject to a condition regarding the provision of cycle parking.

Worcester City Council - Housing: No objections

South Worcestershire Land Drainage Partnership: No objection.

Neighbours and other third party comments:

Neighbours and other third party comments: At the time of writing this report there have been no representations from neighbouring residents received.

- 7.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.

8. Comments of Deputy Director of Economic Development & Planning

- 8.1 The relevant issues with regard to this application are in my view as follows:

- Character and appearance of the site and surrounding area
- Impact on neighbouring residents' amenities
- Standard of proposed living environment
- Impact on Drainage
- Parking and impact on highway safety

These matters will now be considered in turn.

Character and appearance of the site and surrounding area

- 8.2 The proposals do not seek to make any alterations to the front of the property. The proposal relates to an extension to the rear and is considered to be appropriate in design and scale. It is officer opinion that the proposal would not relate in harm to the character and appearance of the site and surrounding area.

Impact on neighbouring residents' amenities

- 8.3 I have considered the proposals against the requirements set out in the South Worcestershire Design Guide. I note that when the 45 degree rule is applied there is a slight breach from the rear windows of number 25 Bozward Street. However, as the extension only has a ridge height of 3.1 metres when the 25 degree rule is applied the proposed extension is not in breach. It is therefore considered that the proposed extension is not of detrimental impact to the neighbouring properties and accords with the guidance set out in the design guide.
- 8.4 The proposed extension is to be built alongside an extension at number 21 Bozward Street, a condition has therefore been added to ensure that the extensions are built concurrently.

Standard of proposed living environment

- 8.5 With regard to the level of proposed accommodation, I consider that the proposed room sizes and facilities are sufficient to meet the operative housing standards. It also considered that there is adequate amenity space to serve the proposed development and the internal layout and arrangement of the dwelling is considered to be acceptable. The Housing Strategy Officer has also been consulted and has commented stating 'I have no comments on the new layout of the ground floor extension at this property'.
- 8.6 With regard to refuse and recycling storage the cleaner and greener team have commented on the application stating that they would ensure there are 2 x 190L Black and 240L Green bins are provided for the 6 bed HMO.

Impact on Drainage

- 8.7 South Worcestershire Land Drainage have been consulted on the application and have recommended that a condition is added for the submission of a proposed scheme of water drainage.

Parking and impact on highway safety

- 8.9 The Highway Authority has commented on the proposals stating that they have no objections to the proposals subject to a condition ensuring that cycle parking is provided for the additional bedroom. Their comments are as follows:

'The existing dwelling is a 5no. bedroom HMO which requires 3 parking spaces in line with County parking standards and 2 spaces for a 5no bedroom HMO in zone in accordance with the Worcester City SPD. The proposed dwelling is a 6no. bedroom HMO which requires 3 parking spaces in line with County parking standards and 2 spaces in accordance with the Worcester City SPD. Therefore there is a parking equivalence and no further objection to raise.

Cycle parking for the additional bedroom should be provided in line with County standards.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that the proposal would not be contrary to Para. 109 NPPF and therefore there are no justifiable grounds on which an objection could be maintained.'

In light of the above it is considered that the proposal will not result in harm to the function of the highway network and accords with the relevant national and local planning policy in this regard.

Conclusion

- 8.10 Subject to the recommended conditions I consider the site has the capacity to accommodate the proposed development in an acceptable manner in terms of the siting, size, scale, design and appearance of the development, impact on neighbouring and future residents amenities and car parking and would accord with the aims and interests that policies SWDP 21 and SWDP 4 of the South Worcestershire Development Plan, the HMO SPD and the National Planning Policy Framework seek to protect and promote.

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Background Papers: P18K0466