

## COMMITTEE REPORT

**Date:** 2 March 2017                      **Ward:** Huntingdon/New Earswick  
**Team:** Householder and Small Scale Team                      **Parish:** Huntingdon Parish Council

**Reference:** 16/02851/FUL  
**Application at:** 23 Minster Avenue Huntingdon York YO31 9DJ  
**For:** Variation of condition 2 and 4 of permitted application 16/02036/FUL to revise layout to allow part of the garage/store to be used as an extended kitchen  
**By:** Alex Szepietowski  
**Application Type:** Full Application  
**Target Date:** 13 February 2017  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 This application seeks permission under section 73 of the Act to vary conditions 2 (approved drawings) and 4 (retain garage for storage of refuse and cycles) of permission ref.16/02036/FUL. This gave planning permission to change the use of the dwelling (use class C3) to a House in Multiple Occupation (use class C4).

1.2 The revised drawings show the rear half of the existing garage converted into an extended kitchen. The front half (3.4m x 2m internal) is retained as a store for bikes and refuse.

1.3 This application is referred to the sub-committee by the Assistant Director as the original application was determined by the sub-committee and objections have been received to the proposed variation of conditions.

### 2.0 POLICY CONTEXT

2.1 Policies: CYH8 Conversion to flats/HMO/student accom

### 3.0 CONSULTATIONS

Huntingdon Parish Council

3.1 The Parish Council objects to the proposal:

- Loss of residential housing stock
- Parking and access issues
- Lack of parking provision

- No disabled access provision

### Neighbour Notification and Publicity

3.2 Three letters received from two residents objecting to the application for the following reasons:

- Concerns the proposal could lead to the existing dining room being converted into an additional 5<sup>th</sup> bedroom impacting on highways and parking
- The back of the property has already been converted into a fifth bedroom

## **4.0 APPRAISAL**

4.1 In deciding an application under section 73, the local planning authority must only consider the conditions that are the subject of the application – it is not a complete re-consideration of the application. It should be noted that the original planning permission will continue to exist whatever the outcome of the application under section 73.

4.2 Draft Development Control Local Plan (2005) Policy CYH8 "Conversions" planning permission will only be granted for the conversion of a house to a HMO where (amongst other things):

- adequate on and off road parking and cycle parking is incorporated; and,
- adequate provision is made for the storage and collection of refuse and recycling.

4.3 The Supplementary Planning Document (SPD) - Controlling the Concentration of Houses in Multiple Occupancy (2014) advises at paragraph 5.17 that in assessing planning applications for HMOs the Council will seek to ensure that the change of use will not be detrimental to the overall residential amenity of the area. Attention will be given, amongst other things, to the following:

- there is sufficient space for appropriate provision for secure cycle parking; and
- there is sufficient space for storage provision for waste/recycling containers in a suitable enclosure area within the curtilage of the property.

4.4 The proposed cycle storage area will remain of sufficient size for to accommodate at least 4 bicycles. The garage will be secure, and "Sheffield" cycle stands are shown to be installed. Three no. wheelie bins can also be accommodated within the retained garage area which is considered to be sufficient for a small HMO.

4.5 The proposed variation of the approved drawings does not show any alterations to provide an additional bedroom. HMO Licence Regulations would require an additional separate WC to be provided to accommodate 5 occupants at the premises. The application should be determined on its merits and possible future changes to the building, which could be undertaken without planning permission, are not normally material considerations.

## 5.0 CONCLUSION

5.1. The proposed amendments to the previously approved drawings will retain an adequate bin and cycle store for the house in multiple occupation and will not impact on residential amenity or highway safety. The proposal therefore accords with policy H8 of the 2005 Draft Local Plan and the National Planning Policy Framework.

## 6.0 RECOMMENDATION: Approve

1 The development shall be begun not later than 1 December 2019.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing No. YB433-101 Revision A - dated 16.02.17

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Prior to the dwelling being occupied as a House in Multiple Occupation, a management plan shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved unless otherwise approved in writing by the Local Planning Authority. The Management plan shall relate to the following areas:

- Information and advice to occupants, including minimising noise and disturbance for neighbours
- Refuse and recycling facilities
- Property maintenance
- Secure cycle storage

Reason: In the interests of the proper management of the property and the amenity of adjacent residents and which may otherwise be compromised unless approved prior to the commencement of development on the site.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), the retained garage area indicated on drawing YB433-101 Revision A - dated 16.02.17 shall not be altered externally or converted to living accommodation and shall be retained for the storage of refuse/recycling and cycles.

Reason: To ensure that there is adequate cycle parking/storage space at the property and any proposals to increase living accommodation can be assessed on their merits.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### **1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH**

In considering the application, The Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) and having taken account of all relevant national guidance and local policies, considers the proposal to be satisfactory. For this reason, no amendments were sought during the processing of the application, and it was not necessary to work with the applicant/agent in order to achieve a positive outcome.

#### **Contact details:**

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