

38/15/0330

TAUNTON ASSOCIATION FOR THE HOMELESS

CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPANCY (USE CLASS SUI GENERIS) AT 24 QUEEN STREET, TAUNTON

Location: 24 QUEEN STREET, TAUNTON, TA1 3AS

Grid Reference: 323482.124511

Full Planning Permission

RECOMMENDATION AND REASON(S)

Subject to receipt of amended plans and room size, permission be granted.

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A4) Location Plan
(A4) Site Plan

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

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

PROPOSAL

This application seeks planning permission for the change of use of the dwelling to a house of multiple occupation (HMO) containing 8 rooms; the property is currently a

four bedroom dwelling. As proposed, on the ground floor there are 3 rooms, a shared kitchen/utility room and a shared shower room; on the first floor there are 5 rooms a shared wc and a shared shower. No external alterations are proposed.

Amended plans have been requested to delete one of the bedrooms on the ground floor to allow access to the rear garden and confirmation has been sought to confirm the room sizes comply with standards set out by Housing Standards.

There is a garden to the rear of the dwelling that can be utilised for cycle storage.

SITE DESCRIPTION AND HISTORY

The property is large mid terraced property and is currently used as a four bedroom dwelling. The row of terrace properties are set back from the footpath with small front gardens. Larger gardens are found to the rear. The area predominately comprises terraced residential properties, with some commercial buildings also within Queen Street. Parking is predominately on the street and is restricted by residents parking permits.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

HOUSING STANDARDS -

All works must comply with the current Building Regulations. Housing Act 2004, the Housing Health and Safety Rating System - No Category 1 hazards must be present.

The requirements and guidance for fire safety, provision of kitchen and bathroom facilities, minimum room sizes for a HMO can be found at www.swpshp.gov.

If the property is 3 storey's or more, occupied by 5 or more persons who form 2 or more households it will require a HMO licence.

SCC - TRANSPORT DEVELOPMENT GROUP - See Standing Advice.

Representations

EIGHT LETTERS OF OBJECTION: -

- Impact on amenity - increased noise and disturbance.
- Cramped, intensified use - property never designed for 8 adults.
- Unbearable impact on adjoining neighbours,
- Anti-social behaviour and crime; previous anti-social behaviour from HMO.
- Increased pressure on off-street parking from residents, staff and visitors; street already at capacity.
- Overlooking.

- Existing HMOs, adding another will unbalance mix in this area; changing character of historic streets by converting family homes.
- Concern over residents who may have ongoing drug and alcohol issues - may encourage drug related crime.
- No 20 was a HMO, now flats, and now peaceful atmosphere.
- Existing right of way alley gated at advice of police - therefore no rear access for 24 Queen Street - unsuitable from a fire exit point of view.

OBJECTION (SUMMARISED) FROM WARD COUNCILLOR (Cllr R Lees): -

- HMOs in area can bring noise and anti-social behaviour; drain on police resources; police, councillors and residents have worked hard to reduce problems, one more HMO may see them return.
- Too many occupants; house in Church Street turned down some time ago for 5 occupants.
- Drug dealing in Queen Street puts future occupiers at risk of being exposed; anti-social behaviour.
- Impact on adjoining properties.
- Impact on car parking.
- Right of way across the back of 23 Queen Street would impact on amenity of the occupiers.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

None.

DETERMINING ISSUES AND CONSIDERATIONS

The main issues in the consideration of this application are the principle of the development, impact on highways and neighbouring amenity.

Use

A dwellinghouse (Class C3) permits the use of the dwelling to be used by up to six individuals where care is, or is not, provided. The Class C3 also allows the change to a HMO, also up to six individuals without the need for planning permission. As such, it is not considered that one additional room would give rise to any additional harm to the amenity of the area, or noise, beyond the permitted use of the building as a dwelling (C3) or HMO (C4), which would not require planning permission.

Highways

With the removal of the eighth room, there is access available to the rear garden if space is required for cycle storage. Whilst parking concerns are recognised, and the area already has parking restrictions and permits in place, the location and siting of

the property, close to the town centre facilities/services and public transport, car free development is acceptable. Any staff visiting the property would be able to cycle, walk or use public transport.

Overlooking

There is one existing bedroom window within the first floor rear elevation of the two storey projection at the rear of the property. This window would overlook the rear end of the neighbouring property. Whilst there may be some additional use of the room the window serves, beyond the existing bedroom use, this is not considered to be detrimental to amenity of the neighbouring property as to warrant refusal of the application.

Other matters

The use of the right of way to the rear of 23 Queen Street may, or may not be used; this is a matter for the applicants to decide. If used infrequently any impact on the amenity of the neighbour would be minimal and no greater than the existing situation.

Whilst there is some concern regarding anti-social behaviour and crime based on previous activities, there is no reason to suggest that this application would give rise to these matters. As such, these reasons are not considered to justify any reason for refusal.

Conclusion

The proposed HMO is sited in a suitable location close to the town centre and associated facilities. Whilst concerns have been raised by neighbour residents, a HMO for seven residents, one above the permitted six, is not considered to give rise to any increased impact on the amenity of neighbouring properties to warrant refusal of the application. The application is therefore recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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