

**PLANNING
COMMITTEE**

2nd February 2011

PLANNING APPLICATION 2010/278/COU

CHANGE OF USE OF GROUND AND FIRST FLOOR FROM GUEST HOUSE (USE CLASS C1) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4)

166 MOUNT PLEASANT, REDDITCH

**APPLICANT: MR J SMITH
EXPIRY DATE: 14TH JANUARY 2011**

WARD: CENTRAL

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: steve.edden@redditchbc.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

166 Mount Pleasant is a large three storey traditional Victorian style terraced property of brick and tile construction, located to the western side of Mount Pleasant. The site is located approximately 30 metres due north of the Ivor Road / Mount Pleasant road junction. There is a right of access from the application site across the rear of 164 Mount Pleasant which links to a rear parking area off Bromfield Road, further to the west. This area is within the control of the applicant.

Proposal Description

Full planning permission for change of use is sought to change the use of the ground and first floor of the building from a guest house (Use Class C1) to a house in multiple occupation (Use Class C4).

Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport

Borough of Redditch Local Plan No.3

CS.7	The sustainable location of development
------	---

**PLANNING
COMMITTEE**

2nd February 2011

B(HSG).6 Development within the curtilage of an existing dwelling
C(T).12 Parking Standards (Appendix H)

SPDs

Encouraging good design

Relevant Site Planning History

Appn. No	Proposal	Decision	Date
1968/158	Conversion to flats	Approved	07.10.68
1991/303	Conversion of attic to form flat	Approved	16.08.91
2000/620	Change of use from flats to bed and breakfast accommodation	Approved	15.08.01
2010/152	Change of use from C1 guest house to house in multiple occupation (Class C4 use)	Withdrawn	26.7.10

Public Consultation Responses

Responses in favour

None received

Responses against

Six letters received in objection. Comments are summarised as follows:

- Anti-social behaviour problems would increase if permission is granted
- Noise disturbance arising from a use of this intensity
- Parking problems would increase, leading to highway safety concerns

Other matters have been raised but are not reported here since they are not material considerations in the determination of this application.

Consultee Responses

County Highway Network Control

No objection

Environmental Health

Comments awaited

PLANNING COMMITTEE

2nd February 2011

Procedural matters

An application of this nature would normally be assessed under the delegated powers granted to the Head of Planning and Regeneration, but is being reported to the committee as two (or more) letters in objection have been received, and the Officers recommendation is that permission be granted.

Background

For information, the ground and first floor of this building are not currently being occupied in accordance with the valid permission on the site – that is, the bed and breakfast (C1 guest house) use permitted under application 2000/620 referred to above. This consent restricts the number of letting bedrooms (at ground and first floor level) to three. The situation that exists at present (without planning consent) is the existence of:

- One self contained flat and two bed sits on the ground floor,
- Three bed sits at first floor level.

Following action by the Planning Enforcement Officer, planning application 2010/152 was submitted. Plans submitted showing the general layout and occupation of accommodation within the building were considered to be excessively intensive having regard to the character of the area and impact upon residential amenity, and would have been refused planning permission under delegated powers afforded to the Head of Planning and Regeneration had it not been for the applicant's decision to withdraw that application. The plans submitted under this application which show how the various rooms would be occupied, differ from how they are actually occupied at present and therefore the application cannot be considered as retrospective.

Assessment of Proposal

The key issues for consideration are as follows:

Principle

The site is located within an area which is residential in character and has no specific local plan designation. The continuation of a residential (C Class) use as defined under the Town and Country Planning (Use Classes) Order 1987 (as amended) would therefore be considered as acceptable in principle.

Impact upon nearby residential amenity

Plans submitted show that the ground floor of the building would accommodate two separate bedrooms each with en-suite bathrooms (rooms 1 and 2). Rooms 1 and 2 would share a ground floor communal lounge and communal kitchen. The first floor of the building would accommodate two separate bedrooms each with en-suite bathrooms (rooms 3 and 4). Rooms 3 and 4 would share a first floor communal lounge, communal kitchen and larger communal washroom. The second floor (loft area) already has consent under a permission in 1991, for a self contained flat. Officers consider that the intensification of use arising from the ground and first floor operating as a house in multiple occupation, together with the use of the second floor as a

PLANNING COMMITTEE

2nd February 2011

self contained flat, considering the significant size of this traditional terraced building, would not be excessive and would be unlikely to cause detriment to amenity. If permission were to be granted, intensification of use would be only marginally greater than that approved under consent 2000/620 referred to earlier in this report. Officers consider that the objections received here relate to how the building is occupied at present (without consent), and problems which have arisen due to this unauthorised escalation of use.

The current, unauthorised use of the ground and first floor of the building is considered to be occupied at an intensity that would impact detrimentally upon nearby residential amenity. Should Members be minded to grant consent, it is recommended that an informative be attached requesting that, notwithstanding the recommended standard three year commencement condition, the current unauthorised occupation of the ground and first floor of the building cease, with the building either being occupied in accordance with the consent granted under application 2000/620, or the building be occupied in accordance with the plans submitted with this application. The time limit given is recommended as three months from the date of the granting of consent with failure to change likely to result in enforcement action being taken.

Access including parking provision

Whilst not being within the curtilage of the building, a parking area, within the ownership of the applicant is provided (access via Bromfield Road) to the rear of 166 Mount Pleasant for approximately 6 cars. This provision complies with the Council's maximum car parking standards and Policy C(T).12 of the Local Plan. The applicant enjoys a right of access here, which links this area to 166 via a narrow walkway. By granting consent for the use of the ground and first floor of the building as a four bedroomed HMO, together with the use of the second floor as a self contained one bedroomed flat, such an arrangement would not be considered to place excessive demands upon on-street parking that would prejudice highway safety. County Highway Network Control raise no objection to the proposals.

Sustainability

The site is located within the urban area of the town of Redditch, in close proximity to shops and services and to public transport routes, such that the site is considered to be sufficiently sustainable to accommodate the development proposed.

Conclusion

It is considered that the proposal is compliant with the planning policy framework and would be unlikely to cause any detriment to neighbouring properties by virtue of loss of residential amenity or harm to highway safety. As such, the proposal is considered to be acceptable.

PLANNING COMMITTEE

2nd February 2011

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

1. Development to commence within three years
2. Approved plans specified

Informatives

1. Reason for approval
2. Notwithstanding Condition 1 above, the current, unauthorised occupation of the ground and first floor of the building will be expected to cease, with the building either being occupied in accordance with the guest house use granted under application 2000/620 or in accordance with the plans submitted with this application. Failure to do so is likely to result in the pursuit of formal enforcement action.