

**Report to:** PLANNING COMMITTEE

**Date:**

**Report from:** Development Manager

**Application Address:** 101 Cambridge Road, Hastings, TN34 1EP  
**Proposal:** Proposed Change of Use from Dwelling House (C3) to HMO (Sui Generis).  
**Application No:** HS/FA/14/00941

**Recommendation:** Grant Full Planning Permission

**Ward:** CASTLE  
**File No:** CA15101  
**Applicant:** Mr Pepper per Elevations Design Ltd Junction House 1 Sedlescombe Road South St Leonards on Sea, East Sussex. TN38 0TA

**Interest:** Freeholder  
**Existing Use:** Single private dwellinghouse

**Policies**

Hastings Local Plan 2004:	H4, DG1, C1, C8
Conservation Area:	Yes - White Rock
National Planning Policy Framework:	No Conflict
Hastings Planning Strategy:	SC1, H2, H4
Hastings Local Plan, Development Management Plan, Revised Proposed Submission Version:	HC1, DM1, DM3, HN1, HN2

**Public Consultation**

Adj. Properties:	Yes
Advertisement:	Yes - Conservation Area
Letters of Objection:	2
Petitions Received:	0

**Application Status:** Not delegated - Referred by Ward Councillor

## Summary

The application seeks planning permission for the change of use from dwellinghouse to a house in multiple occupation (HMO).

## The Site and its Location

The application site comprises a large two storey property on the corner of Cambridge Road and adjoining Trinity Villas within the White Rock Conservation Area. The existing plan

shows a 7 bedroom property. A path leads along the side of the building from Cambridge Road through to White Rock Road. There is a green space area on the opposite side of the path. The property is larger than the adjoining terraced properties along Cambridge Road and has in effect two frontages. The property, which has been vacant for a long time, has been completely renovated both internally and externally. There is a side garden and a rear patio area.

## **Details of the Proposal and Other Background Information**

Larger shared properties occupied by 7 or more unrelated people are unclassified by the Use Classes Order and are therefore considered to be "sui-generis".

The proposed plan shows 8 bedrooms split over the ground and first floor level. There is one kitchen on each floor and two bathrooms overall. The proposal does not include any external changes or extensions.

## **Previous Site History**

HS/FA/14//00830	Proposed change of use from former B & B to supported living provision (Sui Generis)
Withdrawn	27/10/2014
HS/FA/13/00670	Change of use to create 3no. self-contained flats
Granted	14/10/2013

## **Details of Consultations**

Following neighbour consultation, site notice and advertisement in the local paper at the time of writing this report one letter of objection has been received.

The Team Leader Housing Services confirms that the provision of bathroom, WC and kitchen amenities and dimensions of the proposed rooms comply with the Council's standards for HMOs. There may need to be some minor changes to the layout to meet building regulations in relation to means of escape in the case of fire.

## **Planning Considerations**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

## **Change of use**

The property, which has been vacant for many years has a total of seven bedrooms and limited amenity space. The 2013 permission for three flats has already established that this property is no longer suitable for family use by modern standards and that a more intensive use is acceptable. The proposed layout meets the housing standards and constitutes a more efficient use of the property.

## **Impact on residential amenity and character of the area**

The Council recognises that well managed HMOs can play a useful role in the range of housing available in the town to meet local needs. However, the aim of policy is to avoid

undesirable concentrations of HMOs in the town.

The Hastings Planning Strategy states that "*National planning policy guidance provides the context for ensuring that future housing delivery leads to the creation of sustainable, inclusive and mixed communities and to avoid situations where existing neighbourhoods become dominated by a particular housing type, such as shared houses (HMOs). ...*

*There are already high numbers of HMOs in the town and, whilst we recognise that shared housing is important in meeting the needs of certain residents, including those on low incomes and young people starting out on their careers, we also recognise the negative effects that high concentrations of this type of housing may have on local communities.*

*It is likely that the number of HMOs in the town as a whole will increase, driven by increasing student numbers as a result of the new University campus, changes to housing benefit and the increasing need for smaller affordable units of accommodation. If we are to continue to accommodate the need and demand for HMOs, we need to ensure that local communities are mixed and balanced in terms of both housing tenure and the people that live there.*

*The National HMO lobby has identified a 'tipping point' in respect of concentrations of HMOs. This tipping point is described as a threshold beyond which a deviation departs so far from the 'norm' that a community can 'tip' from balance to un-balance. The HMO tipping point, largely based on the impacts of associated demographic change, is considered to occur when HMOs exceed 10% of properties."*

The number of HMOs within 100m radius of this property is 1 HMO and 158 properties (this equates to approximately 0.6%).

The number of HMOs is based on a list of HMOs provided by Housing on 11 November 2014, Council Tax on 17 November 2014 and LLPG HMO classifications on 17 December 2014.

Although the proposed use might be a more intensive use of the property, this in itself is not sufficient to justify a refusal. The property is fronting the busy Cambridge Road and I do not consider that the proposed use of this property at this location would have a materially adverse impact on the amenity of occupants of neighbouring or nearby properties. No external alterations or extensions are proposed.

It is also worth noting that the property has a current valid planning permission for the use as three flats comprising 2no. two-bedroom and 1no. one-bedroom units. This means that the property could be occupied by a similar number of people and the level of activity would be comparable.

### **Provision for refuse storage and cycle parking**

An amended plan showing bin and cycle storage has been requested. There is sufficient space to provide this and a condition has been added that the property shall not be occupied until bin and cycle storage has been provided.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

## **Recommendation**

### **Grant Full Planning Permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
14/601/1; 14/601/A, 02A
3. The use hereby approved shall not commence until readily accessible external storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.
4. The property shall not be occupied until such time as the cycle parking, as shown on the approved plans, has been provided. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

### **Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure a satisfactory form of development in the interests of the character and amenity of the area. (Hastings Local Plan 2004 Policy DG1)
4. To ensure an adequate level of parking for cycles to serve the development.

### **Notes to the Applicant**

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
  2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
  3. Consideration should be given to the provision of a domestic sprinkler system.
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**Officer to Contact**

Mrs E Collins, Telephone 01424 783278

**Background Papers**

Application No: HS/FA/14/00941 including all letters and documents