



Report to West Area Planning Committee

Application Number:	20/06683/FUL
Proposal:	Erection of single storey side/rear extension in connection with change to 6 bedroom house of multiple occupancy (C4), creation of 3 additional parking spaces and cycle and waste storage
Site Location:	104 Deeds Grove High Wycombe Buckinghamshire HP12 3NZ
Applicant:	Mr Sarfraz Hussain
Case Officer:	Jackie Sabatini
Ward(s) affected:	Abbey
Parish-Town Council:	High Wycombe Town Unparished
Date valid application received:	9th July 2020
Statutory determination date:	3rd September 2020
Recommendation	Application Permitted

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 Full planning permission is sought for the erection of a single storey side / rear extension to facilitate the use of the buildings as a 6 bed House of Multiple Occupation with creation of three parking spaces and bin / cycle storage.
- 1.2 The conversion of this dwelling to a 6 bed HMO is considered permitted development, not requiring planning permission. The change of use does not therefore form part of this application.
- 1.3 The proposed development would provide an adequate standard of living environment for the occupiers of the new dwelling, without adversely affecting the residential amenities of the neighbouring properties, the character and appearance of the area, or the safety and convenience of the users of the adjacent highway.
- 1.4 The proposal is considered to comply with the relevant Development Plan policies and is therefore recommended for approval subject to conditions.
- 1.5 The application is before Committee because the local Members, Councillor L M Clarke and Councillor Hill have raised concerns.

2.0 Description of Proposed Development

- 2.1 Full planning permission is sought for the erection of a single storey side / rear extension to facilitate the use of the building as a 6 bed House of Multiple Occupation with creation of three parking spaces and bin / cycle storage.
- 2.2 The application site is located on the eastern side of Deeds Grove, where properties on this side of the road sit lower than street level and lower than properties to the west.
- 2.3 The application site comprises a two storey semi-detached property located off Deeds Grove, where the dwellings are predominately detached and semi-detached properties of various sizes, design and characteristics. Many of which already have alterations and extension that a highly visible from the public domain; creating a more varied street scene.
- 2.4 The proposed extension results in the formation of two bedrooms and an extension of the lounge and kitchen area.

The application is accompanied by:

- a) Plans
- b) Ecology checklist

3.0 Relevant Planning History

No relevant planning history in relation to the application site.

Within proximity:

116 Deeds Grove

18/07392/FUL- 116 Deeds Grove Change of Use from C3 (Residential) to SuiGeneris use (House in Multiple Occupation) to 7-bed HMO & dropped Kerb (Part Retrospective) – Refused and dismissed at appeal.

Council's reasons for refusal:

Living environment

In the opinion of the Local Planning Authority the proposed change of use would raise a number of issues which are indicative of an over-intensification of the use of the site. As a result the proposal would have a detrimental impact upon the character and appearance of the area, and would fail to achieve a satisfactory living environment for the future occupiers of the site. The quantum of development and proposed layout of the site would result in a development in which;

- Two of the rooms would fall below the minimum habitable room size,
- The level of shared facilities would be unsatisfactorily small for the number of residents they serve,
- It has not been adequately demonstrated that the bin and cycle storage provision would be sufficient,
- The scale and intensity of use of the surrounding dwellings would not be respected.

Inadequate parking

In the opinion of the Local Planning Authority the proposed development, by reason of the lack of adequate on-site parking provision would displace parking onto the adjacent highway network, in an area with significant levels of on-street parking, to the detriment of the safety and convenience of users of the adjacent highway.

Inspector assessment, comments below:

Summary of the Inspector's decision below:

Living environment

All of the bedrooms are of an acceptable size except for bedroom 2

The number and distribution of bathroom facilities is not a quantitative exercise and that the quality of provision is a factor. I consider these to be acceptable.

One common room to every three bedrooms is required, in this case there should be two common rooms. There is a communal kitchen, but no other separate communal space is available that is adequate for residents to relax outside their bedrooms. Outside areas cannot be included as this use of these are dependent on weather.

The use in principle, is not considered to result in harm to the character or amenity of the wider area.

The bike store is located on the lower part of the garden via steps and there is no outside rear access to the sit. This is a poor location and unlikely to be used. The development fails to demonstrate adequate cycle storage is available.

The bin storage is provided to the front of the property close to the front boundary. The location of bins restrict access to one of the car parking spaces. The development fails to demonstrate that adequate bin storage is available.

Inadequate parking

Bucks County Council Parking Guidance, states HMOs should provide the same number of Parking spaces as other residential dwellings. As such this proposal would require 3 spaces. However the council suggest that each bedroom should be treated as one flat Table 6 of BCPG. I consider this a reasonable approach and as such, there is a short fall of 5 parking spaces. Although there is flexibility in parking provision requirements if it can be demonstrated that this is appropriate.

I am satisfied with the information that the Highway Authority have provided and conclude that the developed causes harm to the safe and effective operation of the highway.

114 Deeds Grove

20/05457/FUL. Change of use from 5-bed dwelling (C3) to an 8-bed House in Multiple Occupation (Sui Generis) facilitated by a single storey rear extension, two storey side extension, rear dormer and replacement front rooflights, widening of dropped kerb and hardsurfacing to front of property. Application refused:

In the opinion of the Local Planning Authority, the proposed material change of use to an 8 bedroom HMO is considered likely to result in an over intensive use of the site by reason of the following:

1. The increased comings and goings of occupiers, which result in noise and disturbance often at irregular times of the day/night depending on the occupiers social patterns.
2. Increased levels of noise & disturbance that would occur as a consequence of the use of external spaces by residents and their guests, and bedrooms in the summer months when windows are left open.
3. The transient nature of occupiers, which is at odds with the more settled character of this single household dominated area.
4. Lack of sufficient parking, partially resulting from loss on on-street parking, to serve the needs of all the residents,
5. An insufficient number of internal communal facilities, or appropriate level of external amenity space for the intensity of use proposed, to the detriment of the amenities of the occupiers.

The intensity of use is considered to result in a form of development which is at odds with the existing area to the detriment of its established character and the residential amenities of the neighbouring properties.

As such, the proposal is contrary to policies DM23 (Other Residential Uses), DM33 (Transport and Energy Generation), DM35 (Placemaking and Design Quality) and CP9 (Sense of Place) of the Wycombe District Local Plan (August 2019).

4.0 Policy Considerations and Evaluation

Principle and Location of Development

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development), CP3 (Settlement Strategy), CP4 (Delivering Homes), DM23 (Other Residential Uses), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

DSA: DM1 (Presumption in favour of sustainable development)

- 4.1 The assessment of the application relates to the extension only. The conversion to a 6-bed HMO is permitted development.
- 4.2 The site is located within an existing residential area. The proposed development is therefore considered acceptable in principle, subject to compliance with Development Plan Policies and all other material considerations.

Transport matters and parking

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM33 (Managing Carbon Emissions, Transport and Energy Generation)

- 4.3 The Highway Authority has been invited to comment on this application and has raised no objection to the proposed scheme subject to condition.
- 4.4 Deeds Grove is an unclassified road subject to a 30mph speed restriction. The road does not have parking or waiting restrictions and benefits from pedestrian footways.
- 4.5 The application proposes extensions to the dwelling in association with its use as a 6 bed house of multiple occupation and alterations to the parking area.

- 4.6 The lawful use of the property is C3, the proposed change of use to Use C4 can be considered as Permitted Development for which express planning permission is not required. However, Permitted Development does not grant permission for any of the proposed external alterations for which this application also seeks permission. As such these comments will only discuss the proposed extensions to the dwelling and the widening of the parking area and not the change of use sought.
- 4.7 With regards to parking, the site is within Zone A, as defined by the Council's Buckinghamshire Countywide Parking Guidance (BCPG) policy document. As such, the maximum number of parking spaces a residential dwelling under use class C3 could require is three spaces. The submitted plans show three parking spaces could be accommodated on the proposed hardstanding area. In accordance with the Buckinghamshire Countywide Parking Guidance policy document (BCPG), parking spaces should be 2.8m x 5m. The proposed hardstanding area can accommodate these spaces.
- 4.8 Therefore, while it is acknowledged that the local highway within the vicinity of the application site is subject to a high level of existing on-street parking, in consideration of the additional parking spaces that would be provided within the site, and that the use proposed can be achieved through Permitted Development, an objection cannot be sustained to this application on highway grounds.

Raising the quality of place making and design

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM23 (Other Residential Uses), DM35 (Placemaking and Design Quality), Housing Intensification SPD

- 4.9 Although the proposed use does involve an intensification to the use of the site, the HMO use proposed does not require planning permission in this instance, as it is limited to six rooms. This report can therefore only assess the proposed extensions.
- 4.10 The proposed development is for a single storey side and rear extension. The extension is subservient to the host building in that it is set back and is single storey. There is a 1m gap (minimum) to the side boundary.
- 4.11 Concern was raised by officers regarding the location of the proposed bin / cycle store being located to the front of the site, in front of a bedroom. As a result, the scheme was amended so that the width of the extension was reduced thus facilitating an access to the rear to enable the relocation of the bin and cycle storage.
- 4.12 In any case the area is already characterised by detached and semi-detached properties of various sizes, design and characteristics. Many of which already have alterations and extensions that are more highly visible within the street scene and further public domain.
- 4.13 As such, when taking account of the above, the proposed development could not be considered to appear out of character to the surrounding area or unduly dominant within the street scene.

Amenity of existing and future residents

Wycombe District Local Plan (August 2019): DM23 (Other Residential Uses), DM 35 (Placemaking and Design Quality), DM40 (Internal Space Standards), Housing Intensification SPD.

Neighbouring properties

- 4.14 As previously mentioned the change of use is considered permitted development.

- 4.15 However, for clarity the proposal would merely replace one form of residential use with another and whilst the proposal would intensify the use of the property the number of residents living within the building could be comparable to that living within a single family dwelling and as such no significant impact to the residential amenities of any neighbouring occupier is considered to occur as a result of this application that would justify refusing planning permission.
- 4.16 Although the proposal would create added mass and bulk to the rear and side elevations of the property it would not impinge on the Council's light angle guidelines when being measured from the nearest habitable window from any neighbouring property.
- 4.17 In summary, no significant impact is considered to occur to the residential amenities of any neighbouring property in terms of privacy, overlooking, loss of light or overbearing issues as a result of this application that would justify refusing planning permission.

Future Occupiers

- 4.18 The existing rear garden area would be used as amenity space for the residents along with dedicated refuse and recycling storage area and cycle storage to the rear.
- 4.19 The cycle storage and bins would be located to the rear of the site where there is convenient outside access to these facilities through the side passageway. And these facilities would not be visible within the street scene or obstruct on-site parking.
- 4.20 This assessment does not consider the internal space standards given that the change of use is permitted development.
- 4.21 In summary the proposed units would provide an acceptable standard of living space for the occupiers of the new units, without having a detrimental impact upon the character of the surrounding area or residential amenities of the neighbouring properties.

Flooding and drainage

Wycombe District Local Plan (August 2019): DM 39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.22 The site is not located within the flood plan or within an area identified as being at risk of surface water flooding.
- 4.23 The development is considered to be a sufficient distance away from a flood risk area and would not result in an increased risk of flooding either within the application site or within the surrounding area.
- 4.24 A condition is considered reasonable ensuring that the proposed hardstanding for the parking spaces are of permeable materials.

Environmental issues

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth), DM20 (Matters to be determined in accordance with the NPPF)

- 4.25 The Council's Environmental Health Officer has been consulted on this application and raises no objection to the scheme subject to condition.

Building sustainability

Wycombe District Local Plan (August 2019): DM41 (Optional Technical Standards for Building Regulations Approval)

4.26 It is considered necessary to condition water efficiency in accordance with policy DM41.

5.0 Weighing and balancing of issues / Overall Assessment

5.1 This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

5.2 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CLIL if applicable), and,
- c. Any other material considerations

5.3 As set out above it is considered that the proposed development would accord with the development plan policies.

6.0 Working with the applicant / agent

6.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

6.3 In this instance the agent was initially informed that the Highway Authority had raised objections to the scheme. The agent responded by submitting additional information in support of the proposal. This supporting information was found to be acceptable by the Highway Authority and the application was approved.

7.0 Recommendation: Approval

Subject to the following conditions and reasons:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

- 2 The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers 003-20A, 004-20, WDC1 and WDC3 unless the Local Planning Authority otherwise first agrees in writing.

Reason: In the interest of proper planning and to ensure a satisfactory development of the site.

- 3 The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of those contained in the approved application, unless the Local Planning Authority otherwise first agrees in writing.
Reason: To secure a satisfactory external appearance.
- 4 The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.
- 5 No other part of the development shall be occupied until the existing means of access has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Private Vehicular Access Within the Public Highway".
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.
- 6 The surfacing materials to be used for the parking area shall be of porous material unless otherwise agreed in writing with the Local Planning Authority.
Reason: In order to reduce the rate of surface water run-off.
- 7 Prior to the occupation of the development hereby permitted, electric vehicle charging point must be installed. Thereafter the electric vehicle charging points must be maintained in full working order and, as such, a long-term management and maintenance plan shall be submitted in writing and approved by the Local Planning Authority.
Reason: To reduce the negative impact on the health of residents living within the Air Quality Management Area.
- 8 The cycle and bin storage facilities hereby approved, shall be provided prior to occupation and thereafter the facilities shall be permanently retained, unless otherwise first agreed in writing by the Local Planning Authority. These facilities shall thereafter be so retained.
Reason: To ensure the continued provision of cycle parking and waste storage and in the interests of the amenities of the occupiers and adjacent residents.
- 9 The development, hereby permitted, shall be designed and constructed to meet a water efficiency standard of 110 litres per head per day.
Reason: In the interests of water efficiency as required by Policy DM41 (Optional Technical Standards for Building Regulations Approval) of the Local Plan.

INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Buckinghamshire Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments. Buckinghamshire Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance the agent was advised of the concerns relating to the width of the extension and location of bin store. The amended plans were found to be acceptable.

- 2 The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information:

Transport for Buckinghamshire (Streetworks)
10th Floor,
Walton Street Offices
Walton Street
Aylesbury
Buckinghamshire
HP20 1UY
01296 382416

- 3 No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.
- 4 The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.