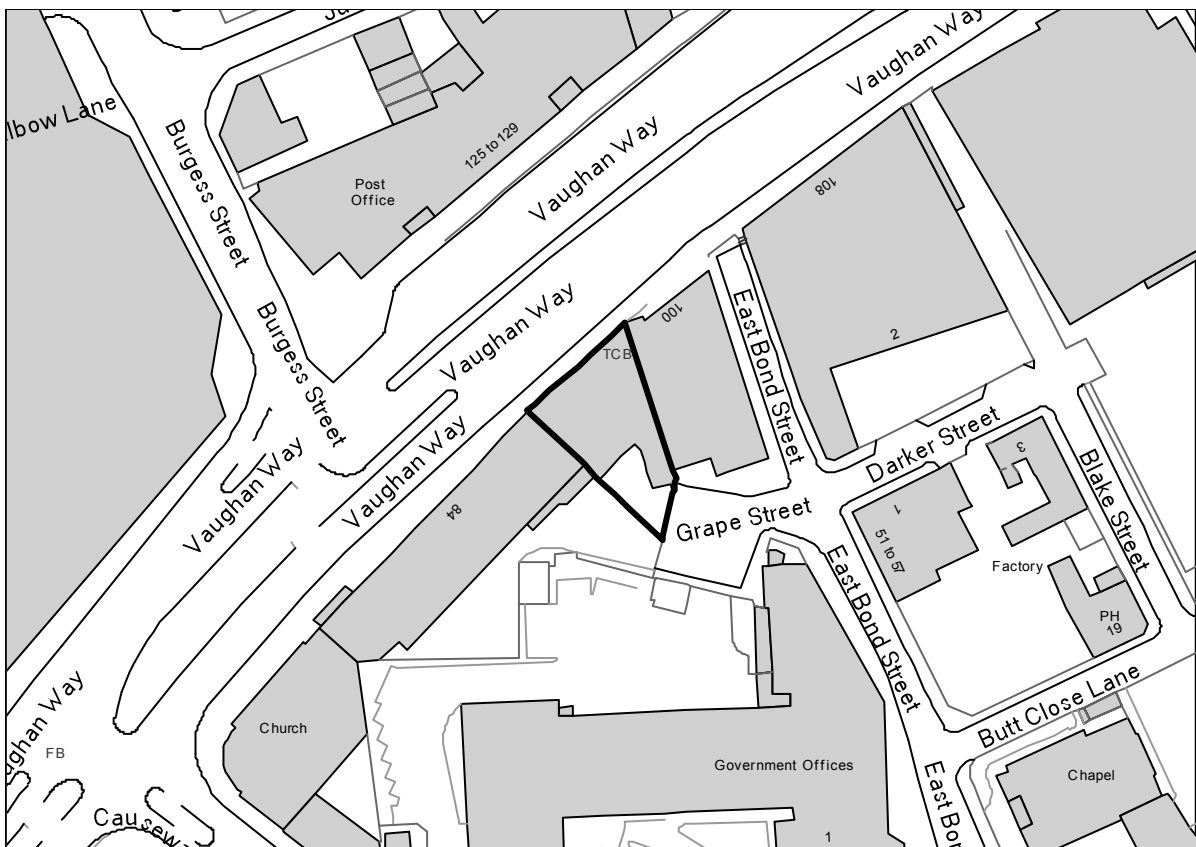


Recommendation: Conditional approval	
20181863	98 VAUGHAN WAY
Proposal:	CHANGE OF USE OF FIRST FLOOR FROM DWELLING (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (8 PERSONS) (SUI GENERIS) (AMENDED 13.02.19 & 05.03.19)
Applicant:	K KOONER
View application and responses	http://rcweb.leicester.gov.uk/planning/onlinequery/Details.aspx?AppNo=20181863
Expiry Date:	5 April 2019
TEI	WARD: Castle



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Summary

- Cllr Kitterick has requested that the application come to committee given the wider issue of standards of living accommodation.
- Cllr Kitterick also objects to the application proposal on grounds of unsatisfactory living accommodation.
- The main issues are accommodation standards, residential amenity
- The recommendation is for approval subject to conditions.

The Site

The application relates to the first floor of a two storey building on the southern (city centre) side of Vaughan Way. The ground floor is vacant but was formally a restaurant. The first floor has a history of residential use.

The Proposal

The proposal for the change of use of the first floor from a flat to a house in multiple occupation originally provided for nine bedrooms. As amended, the house in multiple occupation will have eight bedrooms, a lounge, a kitchen and three toilet/shower rooms.

The sizes of the rooms will be as follows:

- Bedrooms: 8.1 metres² (x 2), 8.4 metres², 9.2 metres², 9.7 metres², 10.4 metres², 10.5 metres², 11.1 metres².
- Lounge: 15.5 metres²
- Kitchen: 21.4 metres².

There will be internal alterations to support the proposed change of use including the removal of the internal wall between the two front bedrooms at the western side of the flat and the insertion of three internal walls to this part of the building (effectively creating two additional rooms) and the removal of three internal walls at the rear of the eastern side of the flat and the insertion of three internal walls to this part of the building (effectively creating one additional room). These alterations will have a small effect on the appearance of the windows.

Policy Considerations

The City Council does not have a five year housing land supply. Paragraph 11 of the National Planning Policy Framework describes how there is a presumption in favour of sustainable development where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. The footnote to the paragraph adds that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year housing land supply.

Chapter 12 of the framework stresses the importance of good design to achieve high quality buildings and places. Paragraph 130 goes on to state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 109 of the framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 127 adds that planning decisions should ensure safe, secure and inclusive developments with a high standard of amenity for existing and future users.

Development plan policies relevant to this application are listed at the end of this report.

Residential Amenity Supplementary Planning Document
Vehicle Parking Standards (Appendix 1 of the City of Leicester Local Plan)

Consultations

Local Highways Authority (LCC): - there is no off-street car parking. The site is outside the pedestrianised zone but quite close to the city centre with public parking close by. Recommended that conditions be attached requiring that cycle storage is provided and occupants are given travel packs.

Environmental Health (private sector housing): - amended plans (with reduced number of bedrooms) are acceptable and meet environmental health requirements. The applicants will need to apply for a House in Multiple Occupation license and have been informed of this requirement.

Representations

An objection has been received from Cllr Kitterick. He objects on the grounds that the proposal provides an unsatisfactory environment for occupants of the proposed development as he considers the sizes of the proposed private rooms will be wholly inadequate and the shared facilities will be of a poor standard.

Consideration

Principle of the use:

Core Strategy policy CS08 outlines the strategy to ensure that neighbourhoods remain sustainable places. As part of this strategy larger houses for family use should be retained and conversion to other types of accommodation resisted. Houses in multiple occupation will not be permitted where they result in local overconcentration.

The General Permitted Development Order (2015) (as amended) allows for the change of use from a dwelling house (Class C3) to a house in multiple occupation of between three to six occupants (Class C4) without the need to apply for planning permission. Section 2 of the order provides clarity that the definition of “dwelling house” in the relevant part includes flats. Planning permission is needed here as there will be provision for more than six people.

The site is in the St Peter’s Potential Development Area where residential use is a subordinate land use. This part of the city is dominated by the central ring road with buildings on either side hosting offices, flats (many of which have converted from offices by virtue of the General Permitted Development Order) and a number of other uses. I do not consider that the proposal will contribute towards an over-concentration of houses in multiple occupation in the area. However, and in accordance with saved policy PS09, an appropriate living environment should be provided including a safe and convenient access to the development.

Residential amenity:

The six principal rooms to the front will have a good level of outlook over Vaughan Way. The two westernmost principal rooms at the rear will have good levels of outlook over towards Grape Street at the rear. However, the two rear bedrooms to the east will have a limited outlook (of between 4 and 10 metres) due to the angle of the building at 100 Vaughan Way. However, given that the outlook from the other rooms is good and that the lounge and the kitchen will both be accessible for occupants of these two rear bedrooms I consider this to be on balance a satisfactory living environment.

Occupants of the bedrooms will benefit from the use of the lounge and kitchen. Environmental Health Officers in Private Sector Housing have confirmed that the sizes of the rooms are acceptable.

There is no useable private amenity space associated with the site other than that which can be used for cycle or bin storage, together with the service needs of any commercial use that may in future occupy the ground floor. However, the existing flat has no private amenity space and this is an existing situation that is not uncommon for city centre residential properties. Given the site's position in the city centre it is close to public open spaces such as Abbey Park.

Highways and parking:

The site is in Parking Zone 2 and though Appendix 1 of the City of Leicester Local Plan does not have an explicit recommendation for numbers of parking spaces for a house in multiple occupation it recommends two spaces for houses with two or more bedrooms. Appendix 1 recommends the same number of parking spaces for the existing use and as such there will be no net increase in recommended parking spaces. In any case the site is in the city centre at approximately 450 metres from Clock Tower and approximately 200 metres from St Margaret's Bus Station. I consider that the site is in a sustainable location where the need to travel by vehicle will be minimised and as such the proposal will not have a harmful impact on local parking capacity or on the local highways network. In the interests of promoting sustainable transport I consider it appropriate to attach a condition requiring secure and covered cycle storage for four cycles and for travel packs to be issued to occupiers.

Bin storage:

There is scope for bin storage to the rear that has access to Grape Street and thence to East Bond Street. I consider this space to be sufficient for the use, easily accessible to allow for collection and well concealed from the public realm so as not to have a detrimental visual impact on the appearance of the area. I consider it appropriate to attach a condition requiring a waste management plan to be submitted and agreed.

Impact of external alterations:

The external alterations to windows will be to allow for the internal walls to be installed. They will be minor and I do not consider that at the width proposed they will be out of keeping with the character and appearance of the building. I consider it appropriate to

attach a condition requiring section details of the windows to be submitted and agreed beforehand to ensure that the works are appropriate. I also consider it appropriate to attach a condition requiring that these works are replicated across all four first floor windows facing Vaughan Way to ensure the works allow for the first floor to be visually read as a consistent whole.

Conclusion:

I consider that the residential use of the first floor is already established and has permitted development rights to change use to a Class C4 house in multiple occupation of between three to six occupiers without needing to apply for planning permission. I consider that the proposal allows for a satisfactory living environment for future occupiers and that it will not have a severe impact on the parking capacity of the local area. With the recommended conditions attached I consider that the proposal would be integrated with the host building and be in keeping with the character and appearance of the local area and that waste could be managed satisfactorily so that it would not have a detrimental impact on the immediate area.

I recommend APPROVAL subject to the following conditions:

CONDITIONS

1. The development shall be begun within three years from the date of this permission. (To comply with Section 91 of the Town & Country Planning Act 1990.)
2. No part of the development shall be occupied until secure and covered cycle parking for four cycles has been provided. The cycle spaces shall be retained throughout the lifetime of the development. (In the interests of the satisfactory development of the site and in accordance with policies AM02 of the City of Leicester Local Plan).
3. Within one month of the first occupation of any part of the accommodation occupiers shall be provided with a 'New Residents Travel Pack'. The contents of this shall be submitted to and approved in advance by the City Council as local planning authority and shall include walking, cycling and bus maps, latest relevant bus timetable information and bus travel and cycle discount vouchers. (In the interest of sustainable development and in accordance with policy AM02 of the City of Leicester Local Plan and policy CS14 of the Core Strategy).

BINS

4. Before the development is begun, section details at a scale of 1:10 or 1:20 shall be submitted for all first floor windows facing Vaughan Way and approved by the City Council as local planning authority and implemented in accordance with the agreed details. (In the interests of visual amenity, and in accordance with Core Strategy policy CS03. To ensure that the details are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition).
5. This consent shall relate solely to amended plan ref. no. 2073.4 received by the City Council as local planning authority on 13.02.19 and amended plan ref

2073.3 received by the City Council as local planning authority on 05.03.19. (For the avoidance of doubt.)

Policies relating to this recommendation

- 2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
- 2006_AM12 Levels of car parking for residential development will be determined in accordance with the standards in Appendix 01.
- 2006_PS09a Table 1 indicates Priority and Subordinate land uses for PDAs identified inside the Strategic Regeneration Area.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2014_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2014_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2014_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development. .