

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **31ST MAY 2016**

ADDRESS/LOCATION : **31 LONDON ROAD**

APPLICATION NO. & WARD : **16/00206/FUL
KINGSHOLM & WOTTON**

EXPIRY DATE : **29TH APRIL 2016**

APPLICANT : **MR PHILIP TURNER**

PROPOSAL : **CHANGE OF USE FROM FOUR
APARTMENTS TO A HOUSE IN MULTIPLE
OCCUPATION (12 BEDROOMS)**

REPORT BY : **ED BAKER**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application relates to No. 31 London Road. The site comprises part of the frontage to London Road on its north side. The building is an attractive Regency style property, three storeys with parapet roof, white render and replacement sash effect windows.
- 1.2 Adjoining the property to the west are Nos. 27 and 29 London Road. No. 27 has commercial premises at ground floor with what appears to be residential accommodation above. No. 29 appears to be wholly residential. No. 1 Oxford Street is set further back from London Road and is attached to the gable of No. 31 on its east side. It also appears to be residential.
- 1.3 There is vehicular access to a rear yard from Oxford Street to the east. The yard is currently a hard standing with a handful of refuse bins alongside the rear boundary with No. 29.
- 1.4 The site is within the London Road Conservation Area. Nos. 18, 20 and 22 London Road to the other side of the road are Grade II Listed Buildings.
- 1.5 The application seeks planning permission for a change of use of the building from four apartments to a house in multiple occupation comprising 12 rooms, including an annex.

- 1.6 The applicant is proposing two on-site parking spaces at the rear. They also indicate space for a bike shed for 12 bicycles and a refuse and recycling area.
- 1.7 The application is referred to the planning committee at the request of Councillor Hilton.

2.0 RELEVANT PLANNING HISTORY

- 2.1 The application site has no relevant recent planning history.

3.0 PLANNING POLICIES

- 3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development management purposes. The National Planning Policy Framework (NPPF) published in March 2012 is also a material consideration.
- 3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that, policies in a Local Plan should not necessarily be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.
- 3.3 Policy contained in the National Planning Policy Guidance is explained and amplified by the online National Planning Policy Guidance.
- 3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.
- 3.4 From the Second Stage Deposit Plan the following policy is the most relevant:
- | | |
|--------|------------------------------------------------------------|
| ST.1 | Development |
| ST.1 | Sustainable Development |
| ST.4 | Reducing Travel by Car and Promoting Other Means of Travel |
| FRP.10 | Noise |
| BE.21 | Safeguarding Amenity |
| BE.23 | Development Affecting the Setting of a Listed Building |
| BE.29 | Development within Conservation Areas |
| TR.31 | Road Safety |
- 3.6 In terms of the emerging Development Plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and are a material consideration. The weight to be attached to them is

limited: the Plan has not yet been the subject of independent scrutiny and does not have development plan status. The Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.

3.7 On adoption, the Joint Core Strategy, City Plan and any Neighbourhood Plans will provide a revised local planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to

- The stage of preparation of the emerging plan
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework.

3.8 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Highway Authority (Gloucestershire County Council)

No objection – recommends the following condition:

- Provision of cycle storage

4.2 Conservation Officer

No comments – no external alterations are proposed. The building was de-Listed in 2004.

4.3 Environmental Health Officer

No objection – subject to the following conditions:

- Restriction on hours during construction
- No burning of materials/substances during construction
- Scheme for refuse storage and recycling

5.0 PUBLICITY AND REPRESENTATIONS

5.1 The application has been publicised through a press notice and the display of a site notice. In addition, 43 properties have been directly notified of the application in writing.

5.2 **Civic Trust**

No objection – acceptable

5.3 **Representations**

A local resident (address not given) objects to the proposal on the following grounds:

- The proposal will not improve the current situation. There are already drunken residents and anti-social behaviour.

5.4 **Councillor Jeremy Hilton (Ward Councillor)**

Objects to the application:

'I just write to say that I would think it best to reject the application to convert 31 London Road into a HMO with fourteen bedrooms. Currently the building, which is in a conservation area is divided into four separate apartments. This is a less overcrowded solution than what is proposed. There is limited parking in the area of London Road and to introduce 14 individuals into this living space rather than four separate family units could well increase the number of vehicles needing to be parked locally.

There has also been problems in the past with bin collections etc, and I just wonder what sort of management is proposed for the collection of waste from fourteen individuals. Will there be separate bins to encourage recycling.

I note there is only one area set aside for communal space, which is in the annex, but that one bedroom is off this unit. The individual residing here will have a very noisy existence and access to a kitchen and bathroom used by everyone. Not an ideal situation.

The current layout of four apartments is much better and should be retained.'

- 5.5 The full content of all correspondence on this application can be inspected at Herbert Warehouse, The Docks, Gloucester, or via the following link, prior to the Committee meeting:

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00206/FUL>

6.0 **OFFICER OPINION**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

Whether this is a sustainable location for a house in multiple occupation

- 6.2 The site is a very sustainable location for increased density house being within short walking distance of the city centre and its amenities. The site is close to the central bus station and railway station. It has very good access to shops, services, jobs and public transport. The immediate surrounding area is a mixture of residential and commercial uses. The proposal would make very effective use of previously developed land.
- 6.3 The Highway Authority notes the above and offers no objection to the proposal on transport sustainability grounds.
- 6.4 Having regard to these factors, the site is a particularly sustainable location for a house in multiple occupation.
- 6.5 The proposal is considered acceptable having regard to Policies ST.1 and ST.4 of the 2002 Local Plan

Economic benefit

- 6.6 Paragraph 19 of the NPPF says: *'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'*
- 6.7 The proposal would have some modest economic benefit, particularly in relation to support for construction jobs during refurbishment of the property, the provision of accommodation for potential workers, and increased spending in the area by residents. However, due to the residential nature of the proposal, this issue should be given limited weight in the round.
- 6.8 The proposal is considered acceptable having regard to Policy ST.1 of the 2002 Local Plan.

The effect of the proposal on the character and appearance of the Conservation Area, the setting of nearby Listed Buildings

- 6.9 The statutory test is that development within a Conservation Area should either preserve or enhance its character or appearance. No external alterations are proposed to the building. A new bicycle and bin store is proposed to be provided, however, this would be in the rear yard and would not generally be visible from the public realm. There may be limited views of this space through the access on Oxford Street.
- 6.10 The proposed intensification of the use of the building (from four apartments to a 12 bed house in multiple occupation) would unlikely impact on the character of the area.

- 6.11 It is considered that the character and appearance of the Conservation Area would be preserved. The setting of the Listed Buildings opposite would be safeguarded.
- 6.12 The proposal is considered acceptable having regard to Policies BE.23 and BE.29 of the 2002 Local Plan.

Impact on neighbouring property

- 6.13 The proposed use is unlikely to impact on the amenity of surrounding property over and above the existing situation. There would be no increased overlooking. The increase in the intensity of use of the premises would unlikely give rise to harmful additional noise or other impacts.
- 6.14 The proposal is considered acceptable having regard to Policy BE.21 of the 2002 Local Plan.

Access and parking

- 6.15 The proposal would provide two on-site parking spaces in the rear yard which is a continuation of the present potential for on-site parking. The Highway Authority does not believe that the proposal will generate a significant or material increase in trips compared to the existing use of the building. In this regard, there is no reason to require the applicant to provide any further parking spaces. In addition, it means that the proposal is acceptable in terms of highway safety because there is unlikely to be a net increase in traffic.
- 6.16 The site is a highly sustainable location with opportunities for travel other than by means of the private car. The site is within close walking distance to the city centres, its shops and amenities. It is also close to the bus station and railway station, and has good public transport links. There is no need to provide further parking than that proposed.
- 6.17 Regard is had to paragraph 32 of the NPPF that says: '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*' No severe impacts are identified.
- 6.18 The proposal is considered acceptable having regard to Policy TR.31 of the 2002 Local Plan.

7.0 CONCLUSION

- 7.1 The NPPF further states that: '*Housing applications should be considered in the context of the presumption in favour of sustainable development.*' (par. 49).
- 7.2 The proposal represents sustainable development which would provide useful additional residential accommodation on the edge of the city centre.

- 7.3 No external alterations are proposed to the building. The character and appearance of the Conservation Area would be preserved, as would the setting of nearby Listed Buildings.
- 7.4 The proposal provides limited on-site parking, however, this is acceptable in view of the current use of the building and the central and sustainable location of the site close to the city centre and its amenities. No severe impacts on the highway are identified.
- 7.5 The development would not harm the living conditions of nearby residents.
- 7.6 There would be no harmful impacts that would significantly and demonstrably outweigh the benefits of the proposal, namely the provision of housing.
- 7.7 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, and having regard to the relevant Development Plan policies set out earlier in the report and other relevant material considerations, the proposals are considered acceptable.
- 7.8 The proposal has also been considered with regard to the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, which require special attention to be paid to the desirability of preserving nearby Listed Buildings and their setting, as well as preserving or enhancing the character or appearance of the Conservation Area.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

It is recommended that planning permission is granted subject to the following conditions:

Condition 1

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Condition 2

The development hereby permitted shall be carried out in accordance with the site location plan, block plan and floor plans received on 03 March 2016.

Reason: To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Second Deposit City of Gloucester Local Plan (2002).

Condition 3

The development hereby approved shall not be occupied until space for at least two vehicles to park within the rear yard has been provided. The spaces shall measure a minimum of 4.8 metres length by 2.4 metres width. Such parking spaces shall not be used for any purpose other than the parking of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site, having regard to the provisions of the National Planning Policy Framework.

Condition 4

The accommodation hereby approved shall not be occupied unless covered bicycle storage for at least 12 bicycles has been constructed in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The covered bicycle storage shall at all times be retained in accordance with the approved details.

Reason: To ensure adequate provision and availability of cycle parking, having regard to Policy TR.33 of the Gloucester Local Plan, Second Stage Deposit 2002.

Condition 5

The accommodation hereby approved shall not be occupied unless provision for covered bin and recycling storage has been made in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The bin and recycling storage shall be retained at all times in accordance with the approved details.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

Condition 6

No construction related activities, including deliveries to or dispatched from the development, shall be undertaken outside the following hours:

Monday to Friday	0800 to 1800
Saturdays	0830 to 1300

No such construction related activities or deliveries shall take place on Sundays or Public Holidays.

Reason: To safeguard residential amenity, having regard to Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

Condition 7

There shall be no burning of materials/substances at the site during the construction phase.

Reason: To safeguard residential amenity, having regard to Policy BE.21 of the Second Deposit City of Gloucester Local Plan (2002).

NOTES

Note 1 – the applicant’s attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has worked with the applicant in a positive and proactive manner in seeking solutions to secure sustainable development which will improve the economic, social and environmental wellbeing of the area. The Local Planning Authority has offered a pre-application service, and published relevant guidance and information on its website to assist the applicant. The proposal has been found to be sustainable development and no direct negotiations have been required.

Decision:

Notes:

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Person to contact: Ed Baker
(Tel: 396835.)

16/00206/FUL

31 London Road
Gloucester

Planning Committee 31.05.2016

