

Agenda Item	A11
Application Number	Change of use of dwelling (C3) to small HMO (C4)
Proposal	22/00417/CU
Application site	17 Patterdale Road Lancaster LA1 3HN
Applicant	Ms Jade Willman
Agent	N/A
Case Officer	Ms Charlotte Greenhow
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the application was called in by Councillor Hamilton-Cox who requested the application to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site relates to a two storey mid-terrace property located at 17 Patterdale Road, Lancaster. The property has a dashed exterior, under a tile pitched roof, and white upvc windows throughout. A moderately sized private garden is located to the rear with a detached garden outbuilding/store. Parking is available on street only. The surrounding area is residential in character with a mix of neighbouring properties in terms of style, age and design.

2.0 Proposal

2.1 Planning permission is sought for the change of use of dwelling (C3) to small HMO (C4). Internal alterations include the conversion of the ground floor dining room to a bedroom and the conversion of the existing small first floor bedroom to a study. There will be a total of 3 bedrooms. The existing outbuilding will be converted into a bin store and cycle store.

2.2 Note: the conversion of the small first floor bedroom to a study was requested by the Case Officer. The size of this room would not meet the recommended space standards for a bedroom as highlighted in Appendix B of the Residential Conversions and Houses in Multiple Occupation SPD

3.0 Site History

3.1 No previous applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Property Services	No response
Lancaster University	No response
University of Cumbria	No response
Policy Team	HMO density map provided, but no response otherwise
Environmental Health	No response
County Highways	No objections , the proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.
Canal and Rivers Trust	No comment

4.2 No public representations have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of development
- Standard of accommodation
- Impact on amenity
- Highway safety

5.2 **Principle of development** (NPPF Section 2 (Achieving sustainable development); Policy DM13 (Residential Conversions) of the Development Management DPD)

5.2.1 On the 10th of November 2021 the Council adopted an Article 4 Direction removing permitted development rights for the change of use of a dwellinghouse (use class C3) into a small house in multiple occupation (HMO, use class C4). The site falls within the boundary of this Direction, and for this reason, planning permission is required for the change of use of this dwellinghouse into an HMO.

5.2.2 Policy DM13 of the Development Management DPD sets out the Councils approach to residential conversions. As part of this, proposals which would lead to a concentration of more than 10% of houses being classed as HMOs within a 100m radius will not be considered acceptable. The HMO density within 100m of the application site is presently 0%. The principle of the change of use is therefore acceptable, subject to other matters being satisfactorily addressed.

5.3 **Standard of accommodation** (NPPF Section 12 (Achieving well-designed places); Policy DM29 (Key design principles) of the Development Management DPD, and Appendix B (Standards for HMO's) of the Residential Conversions and Houses in Multiple Occupation SPD)

5.3.1 As outlined in Appendix B of the Residential Conversions and Houses in Multiple Occupation SPD, all bedrooms must be a minimum of 9sqm without an en-suite, all kitchens/diners must not serve more than six residents, all bathrooms must be a minimum of 3.7sqm, and one bathroom must be provided for every three bedrooms.

5.3.2 The proposed change of use will include three double bedrooms (two at the first-floor level and one at the ground floor level), all of which exceed the minimum 9sqm requirement. The existing small first-floor front bedroom, which only measures approximately 7.7sqm, will be converted into a separate study area for all residents to use. This was requested by the Case Officer, as it was considered that the room would not meet the recommended standards as stipulated above and therefore would not be acceptable for use as a bedroom.

- 5.3.3 The main bathroom measures approximately 3.2sqm. Whilst this is slightly short of the minimum 3.7sqm, given that the property benefits from an additional WC and that these will both be shared by three residents, on balance, the bathroom provision is considered acceptable.
- 5.3.4 The kitchen area can accommodate a sink, fridge/freezer, and adequate work surface area, and the separate living room allows for additional living accommodation. The property also features windows within all habitable rooms allowing for adequate natural light and outlook. The standard of accommodation for a three-person, three-bedroom HMO is therefore considered acceptable.
- 5.4 **Impact on amenity** (NPPF Section 12 (Achieving well-designed places); Policy DM29 (Key design principles) of the Development Management DPD)
- 5.4.1 Whilst the property would be occupied by students or young professionals, it would still function as a standard dwellinghouse. No extensions or external alterations are proposed, and none of the existing windows result in overlooking. As such, the change of use of dwelling to small HMO would not result in any further impacts on residential amenity.
- 5.4.2 The Residential Conversions and Houses in Multiple Occupation SPD states that provision must be made for refuse storage with suitable access from the internal space and to the street without having an adverse impact on the street scene. The proposed development includes a bin storage area within the existing outbuilding to the rear. Access can be gained via the shared snicket between the host dwelling and adjoining neighbour no. 15. This is therefore acceptable as the bins would be easily accessible and not visible from within the street scene.
- 5.4.3 The SPD also states that residents should feel safe accessing the building and feel safe when residing within it. Therefore, all access points must be secured with appropriate levels of security including lighting, natural surveillance, locks and potentially CCTV. The property is located within a fairly busy residential area with streetlights, bus stops and services/facilities in close proximity. As such, it is considered that the site benefits from adequate natural surveillance. In addition, it is deemed that all doors will feature locks (as per typical residential dwellings) and the rear garden can only be accessed via a locked gate.
- 5.5 **Highway safety** (NPPF Section 9 (Promoting sustainable transport); Policy DM61 (Walking and Cycling) of the Development Management DPD)
- 5.5.1 The application site is located within a busy residential area with no off-street parking spaces. Limited parking is available on street for all surrounding houses. Whilst far from ideal, given that there would be no increase in bedrooms, the proposed change of use is considered to have neutral impact on highway safety and capacity. This is echoed by County Highways who raise no objections.
- 5.5.2 Furthermore, given the nature of the HMO, it is not considered that the occupiers would be heavily reliant on cars. The site is located within a sustainable location on the outskirts of Lancaster City Centre with a number of facilities, including two supermarkets in close proximity. Lancaster City Centre is an approx. 10-minute walk away and regular bus services to and from the City Centre run directly outside the property. As such, it is not considered that the proposed change of use would adversely impact upon the surrounding highway network.

6.0 Conclusion and Planning Balance

- 6.1 In conclusion, the proposed change of use of dwelling (C3) to small HMO (C4) as amended would not result in a disproportionate number of HMOs within a 100m radius, would only serve three individuals and therefore meet the recommended space standards, and would have no further impacts on residential amenity or highway capacity than that of a typical dwellinghouse. The change of use is therefore considered acceptable and would comply with policies DM13, DM29 and DM61 of the Development Management DPD.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Planning Permission Timescale	Control
2	Development in accordance with approved plans	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

— None.