

Agenda Item	Committee Date	Application Number
A7	3 February 2020	19/01286/FUL

Application Site	Proposal
47 South Road Lancaster Lancashire LA1 4XJ	Change of use of a dwellinghouse (C3) to a 7-bed HMO for student accommodation (Sui Generis)

Name of Applicant	Name of Agent
Mrs Thagia	

Decision Target Date	Reason For Delay
21 January 2020	Committee Cycle

Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, at the request of Councillor Hamilton-Cox on the grounds that the proposal fails to meet the requirements of Policy DM46, the application is reported to the Planning Regulatory Committee to be determined.

1.0 The Site and its Surroundings

- 1.1 The property that forms the subject of this application is a 3 storey mid-terrace property, with a basement floor located on the eastern side of South Road in Lancaster. To the western side of South Road there is a mixture of 3 storey terrace properties and buildings that are part of Royal Lancaster Infirmary. The property comprises stone elevations under a slate roof, with white uPVC windows installed throughout. To the front of the building is a small front garden. To the rear of the building is a two storey outrigger with a single storey extension projecting from the outrigger.

2.0 The Proposal

- 2.1 This application seeks consent for the change of use of the building from a dwelling to a 7-bed HMO used for student accommodation. The change of use has included the alteration of the internal layout to include a dining room to the ground floor and the reduction of the number of bedrooms from 8 to 7.

3.0 Site History

- 3.1 There is one planning application associated with the property that is for the single storey extension that projects from the two outrigger to the rear of the property.

Application Number	Proposal	Decision
04/00070/FUL	Erection of a single storey extension to rear	Permitted

4.0 **Consultation Responses**

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

Consultee	Response
County Highways	No objection, subject to a condition relating to details of the covered and secure cycle storage facilities to be submitted
Lancaster City Council Strategic Housing Services	The provision of a fire escape window is required in the lounge to mitigate the inner rooms to the ground floor, which are of highest risk.
Environmental Health Officer	No comments received during the statutory consultation period.
LUSU Housing	No comments received during the statutory consultation period.
University of Cumbria	No comments received during the statutory consultation period.
Fire Safety Officer	No comments received during the statutory consultation period.

5.0 **Neighbour Representations**

5.1 No comments received during the statutory consultation period.

6.0 **Principal National and Development Plan Policies**

6.1 **National Planning Policy Framework (NPPF)**

Paragraph 11 – Presumption in favour of sustainable development
Paragraph 60, 61 and 62 – Providing a wide choice of quality homes
Paragraphs 124 and 127 – Requiring good design

6.2 **Development Management DPD**

DM20 – Enhancing Accessibility and Transport Linkages
DM21 – Walking and Cycling
DM35 – Key Design Principles
DM44 – Residential Conversions
DM46 – Student Accommodation

6.3 **Lancaster District Core Strategy Policies**

SC1 – Sustainable Development
SC5 – Achieving Quality in Design

6.4 **Local Planning Policy Overview – Current Position**

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

- (i) The Strategic Policies and Land Allocations DPD; and,
- (ii) (A Review of) The Development Management DPD

The Examination Hearing Sessions took place between the 9 April 2019 and the 1 May 2019. The Council has published the proposed Main Modifications to the Local Plan. An eight-week consultation into the modifications expired on 7 October 2019.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making.

Given the current stage of both DPDs, it is considered that some weight can be attributed to the policies contained therein subject to the extent to which there are unresolved objections to the relevant policies and their consistency with the National Planning Policy Framework.

7.0 Comment and Analysis

7.1 The key considerations in the assessment are:

- Principle of development;
- Standard of accommodation; and
- Design

7.2 Principle of development

7.2.1 The application site is within walking distance of the amenities of the city centre and transport links to Lancaster University and the Lancaster campus of the University of Cumbria. The eastern side of South Road is characterised by residential dwellings. The principle of student accommodation in this location is supported.

7.2.2 Comments have been received from Councillor Hamilton-Cox regarding the justification for an increase in student accommodation within the city. These comments highlight the objection that was received from Lancaster University in respect of application 19/01215/FUL, which sought consent for the erection of a 4 storey building providing 20 bedrooms on St Leonards Gate. The objection from Lancaster University to this application raised the issue of supply and demand for student accommodation within the city centre and the possible saturation of the market. On the basis of the objection to the aforementioned application from Lancaster University, it is considered by Councillor Hamilton-Cox that evidence of demand must be provided to support the provision of this sui generis student HMO.

7.2.3 Paragraph 20.47 in the pre-ambles to policy DM46 states that applications for such proposals will be supported where there is evidence of demand for such accommodation. It goes on to state that in the event of declining demand proposals should ensure that developments are capable of being converted/used as other forms of accommodation.

7.2.4 Regarding demand, the Council does not have evidence of the current demand for student housing in the city centre. Furthermore, within their objection for 19/01215/FUL, Lancaster University does not provide evidence to substantiate their comment that the market is saturated, although this evidence had been requested by the Planning Policy Team. It is considered that, as the lack of evidence of demand for student accommodation on the part of Lancaster University and Lancaster City Council, there is sufficient justification to support the provision of this 7-bed student accommodation.

7.2.5 Furthermore, having considered the floor plan and the existing use of the property, there would be no reason as to why the layout would not work for use as a regular open market C3 dwelling. On this basis the proposal is considered to be able to be converted to alternative use should a declining market for student accommodation arise in the future.

7.3 Standard of accommodation

7.3.1 Policy DM46 and Appendix D of the Development Management DPD set out the general requirements for student accommodation to ensure that appropriate levels of amenity can be provided for the occupants.

7.3.2 In terms of the number of bedrooms provided, Appendix D sets out that accommodation should normally comprise up to 6 bedrooms. However, the subject property is of a large scale, over 3 storeys and already is used as a six bedroom dwelling. The 7 bedrooms provided are all considered to be of acceptable floor area and have demonstrated on the proposed floor plan that all of the furniture listed within Appendix D of the DM DPD can be accommodated within the proposed bedrooms. All rooms are well proportioned including the three rooms that are located on the second floor in respect of headroom within the roof

space. All rooms benefit from acceptable outlook and daylight, including the three bedrooms located on the second floor as they have windows positioned in the front and rear elevations.

7.3.3 In terms of communal areas, a separate kitchen, dining area and a lounge area are provided on the ground floor. Sufficient space for communal facilities such as chairs, fridges and freezers as well as worktop surfaces are also available. Appendix D of the DM DPD states that kitchens and kitchen/diners must not serve more than six residents. The proposed scheme has been reduced from 8-bedrooms to 7-bedrooms to provide a separate dining room to the ground floor. Therefore the kitchen and dining room will serve more than six residents, but on this occasion this is seen as acceptable given a separate dining room has been provided and there are 3 separate communal areas for the 7 residents. A total of 3 communal bathrooms are to be provided, two to the ground floor and one to the first floor. Whilst a bathroom has not been provided per floor, the proposal is utilising the existing bathrooms, which is deemed to be acceptable.

7.3.4 The property benefits from an accessible rear garden in which there is sufficient space for the storage of seven bicycles. Three bins are to be provided within the front garden. The existing bin storage is within the front garden, as the passageway that connects the front garden to the rear garden is of an insufficient width to be able to accommodate the bins within the rear garden and transport them to the front. This is to remain as per the existing arrangements.

7.4 Design

7.4.1 No external alterations are proposed to the dwelling itself. The change of use is facilitated by internal works that do not require planning permission, including the installation and removal of partition walls.

8.0 Planning Obligations

8.1 There are no planning obligations to consider as part of this proposal.

9.0 Conclusions

9.1 The principle of student accommodation situated within or immediately adjacent to the city centre, and in close proximity to the various services and facilities available in such a location, is acceptable. Moreover, given the large size of the subject building and the lack of robust evidence demonstrating the saturation of the market for student accommodation, the provision of a 7-bed unit is considered to be acceptable. The rooms provided are all of an adequate size and proportion and adequate communal facilities are provided. In conclusion it is considered that the scheme can be recommended for approval subject to the conditions listed below.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development to accord to amended plans
3. Details of bike storage facilities to be submitted prior to the occupation of the property
4. Student occupation only

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

In accordance with the above legislation, Lancaster City Council has made the recommendation 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 recommendation has been made 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