

Agenda Item	A9
Application Number	24/01210/FUL
Proposal	Change of use of parish house (C3) to 7-bed HMO (Sui-generis), installation of replacement doors/windows, conversion of garage to bicycle store and shed, removal of garage door, partially block up with a wall and installation of new timber doors
Application site	St Bernadettes Parish House 120 Bowerham Road Lancaster Lancashire
Applicant	Mr Mark Atkinson
Agent	Mr Steve Donnelly
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

The application has been called in to Planning Committee by Councillors Punshon and Otway, therefore the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site to which this application relates is a parish house, connected to and associated with St Bernadette's Catholic Church, on Bowerham Road in Lancaster. To the southwest and southeast boundaries is St Bernadette's Catholic Primary School, and further to the southeast is Moorside Primary School. Opposite the site is semi-detached residential housing.

1.2 The site lies within the Morecambe Bay Special Protection Area buffer zone for new residential development, and is located approx. 55m from Burrow Beck. The Council's Strategic Flood Risk Assessment identifies the site as being at risk from ground water flooding at surface level. In terms of restrictive planning constraints, the site lies within an Article 4 Direction area, which removes permitted development rights for the change of use of dwellinghouses to small Houses in Multiple Occupation (HMOs), and Regulation 7 direction area, removing deemed consent for 'to let' boards.

2.0 Proposal

2.1 This application seeks planning permission for the change of use of the parish house (Use Class C3) to a 7-bed HMO (sui generis). Also proposed is the installation of replacement doors/windows, conversion of the garage to a bicycle store and shed. The property is no longer required to house clergy, and the Diocese and Parish require an effective new use to provide income for the upkeep of the site and to sustain the Church's mission. The Applicant wishes for the property to be occupied by Catholic students recruited and vetted via the Lancaster University Chaplaincy.

3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
24/00573/PRENG2	Pre-application advice request for the change of use of vacant Rectory House to HMO relating to the Church	Advice Provided

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections.
Environmental Health	No response received.
Natural England	No objection.
Planning Policy	No response received.
Fire Safety Officer	No response received.

- 4.2 At the time of writing this report, 30 letters of objection have been received raising the following main points:

- Safeguarding issues surrounding potential occupiers
- Overlooking towards school
- Public safety
- Emergency access to school
- Parking
- Highway safety
- Traffic
- Construction phase impacts
- Anti-social behaviour and litter
- Other uses of building not considered

- 4.3 Two neutral letters of representation have also been received, raising the following main points:

- Safeguarding issues surrounding potential occupiers
- Overlooking towards school
- Emergency access to school
- Highway safety
- Parking

5.0 Analysis

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

- Principle of HMO Use
- Residential Amenity and Housing Standards
- Highways
- Design and Sustainability
- Flood Risk

- 5.2 **Principle of HMO Use** (NPPF Section 12 (Achieving well-designed places); Policies DM1 (New Residential Development and Meeting Housing Needs), DM13 (Residential Conversions), DM29 (Key Design Principles) and SP9 (Maintaining Strong and Vibrant Communities))

- 5.2.1 Policy DM13 of the Development Management DPD (the DM DPD) sets out the Council's approach to residential conversions. As part of this, the Council considers the importance of maintaining an appropriate housing mix and safeguarding the character of residential areas to be important priorities. The supporting text explains that large concentrations of HMOs in a small area can impact

on the character of a residential area and give rise to an inappropriate mix of residents. It goes on to say that this has been the case in areas of Lancaster, having a negative effect on local amenity. Policy DM13 is clear in that proposals which would lead to a concentration of more than 10% of houses being classed as HMOs of the total housing stock within a 100m radius will not be considered acceptable. The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use to HMOs, and was introduced to control the growth of HMOs which have been found to cause imbalances to communities and harm neighbourhood character.

- 5.2.2 Policies DM1 and SP9 seek to ensure that proposals promote balanced, strong and vibrant communities. Paragraph 135 of the NPPF requires developments to add to the overall quality of the area, be sympathetic to the local character of the area, and not undermine quality of life and community cohesion. This is reiterated by Local Plan Policy DM29 which seeks to promote a balanced mix of compatible uses, contributing positively to the identity and character of an area.
- 5.2.3 After undertaking an assessment of surrounding housing stock, in accordance with Appendix A of the Residential Conversions and Houses in Multiple Occupation SPD (the SPD), the HMO density within 100m of the application site is 5.77%. This is clearly below the 10% concentration set by Policy DM13, so the proposal in this instance is unlikely to cause imbalances to communities and harm neighbourhood character. As such, the principle of a change of use of this dwellinghouse to an HMO can be supported, subject to other matters being satisfactorily addressed.
- 5.2.4 Policy DM13 sets out that proposals for HMOs will be acceptable where:
V. Effective measures are proposed to minimise noise and other forms of disturbance to neighbouring residential properties;
VI. Suitable means of storage including refuse, recycling and bicycle storage is provided;
VII. The proposal would not harm the character of the building or surrounding area;
VIII. The proposal would not result in unacceptable impact on parking including unacceptable levels of on-street parking;
IX. The proposal would not result in the creation of sub-standard living conditions.
- 5.2.5 These matters are discussed in the relevant sections below. Subject to satisfying the above and addressing any other material planning considerations, the proposal would not unduly harm the quality, character, housing mix and community of the local area, and is therefore acceptable in principle.
- 5.3 **Residential Amenity and Housing Standards (NPPF Section 12 (Achieving well-designed places); Policies DM13 (Residential Conversions) and DM29 (Key Design Principles))**
- 5.3.1 Originally the application was proposed for 10 people and the communal facilities were inadequate for this population size. Amended plans have been received with the proposal changed to 7 single occupancy bedrooms. The level of communal living facilities is now considered acceptable for the number of occupiers. The scaled floor plans indicate that bedroom sizes comply with the Nationally Described Space Standard and habitable rooms would have adequate natural daylight and outlook. Overall, the amended scheme is acceptable in terms of housing standards.
- 5.3.2 The property is well set back from the road and the properties on the opposite side of Bowerham Road. No new window openings are proposed, and the property is already in residential use as accommodation for the clergy, their family and housekeeper. As such, there would be no new overlooking impact towards the school. Furthermore, the Parish House is at a lower ground level than the school, and there is established vegetation screening which limits intervisibility between the two sites. Due to the nature of the use, proposed occupants, and management by the Diocese (of which the school and church is part of) no adverse impacts are anticipated in terms of safeguarding and anti-social behaviour. On balance, the proposal is acceptable in terms of impact on residential amenity and is compatible with surrounding land uses.
- 5.4 **Highways (NPPF Section 9 (Promoting sustainable transport); Policies DM13 (Residential Conversions), DM61 (Prioritising Walking and Cycling) and DM62 (Vehicle Parking Provision and Electric Vehicle Charging Points))**
- 5.4.1 The site is sustainably located on a frequent bus route for trips to the city centre, hospital and university. The site is also approx. 500m from local shops on Bowerham Road, with a safe walking

route along lit pavements. Covered and secure cycle parking is proposed in the garage, together with space for associated cycling gear storage and a drying area. As the proposed occupants are students, it is likely that there will be lower car ownership, although the application site does include spaces for up to 5 cars, without taking any spaces from the church car park. Emergency access to the school field is to be retained, as indicated on the proposed site plan. As a result, the proposal is acceptable in terms of sustainable transport options, parking and highway safety.

5.5 **Design and Sustainability** (NPPF Sections 12 (Achieving well-designed places) and 14 (Meeting the challenge of climate change, flooding and coastal change); Policies DM13 (Residential Conversions), DM29 (Key Design Principles) and DM30a (Sustainable Design and Construction))

5.5.1 The proposed replacement windows/doors and alterations to the garage are acceptable in terms of design and impact on the wider street scene. The is space within the front garden for bin and recycling storage behind the existing wall, screening the bins from the highway. In terms of sustainability, the replacement windows will approve thermal efficiency, and other upgrades to the building as part of the conversion process will result in enhanced energy efficiency and insulation. As set out in the previous section, the proposal is acceptable in terms of sustainable transport modes are assessed in the following section. On balance, the proposal is acceptable in terms of design and sustainability.

5.6 **Flood Risk** (NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change); Policy DM33 (Development and Flood Risk))

5.6.1 At the time of submission, the application site was located in Flood Zone 1 (the lowest flood risk zone) but within an area of groundwater flood risk. Following publication of the Council's updated Strategic Flood Risk Assessment (January 2025), the site is no longer identified as being at risk of surface water flooding. There is also no risk identified from fluvial, tidal and surface water sources. On this basis, and as a conversion of an existing building, the proposal would be safe from flooding and not increase flood risk on or off site.

6.0 Conclusion and Planning Balance

6.1 This application follows pre-application advice, and the Applicant has addressed all material planning considerations raised. As outlined above, the proposal is acceptable in terms of the proposed use, housing standards, residential amenity, highways, design, sustainability and flood risk, and is found to be compliant with the relevant local and national policies.

Recommendation

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

Condition no.	Description	Type
1	Standard Timescale	Standard
2	Approved Plans	Standard
3	Bicycle Storage	Prior to Occupation

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

N/A

