

EXMOUTH TOWN
(Exmouth)

07/1239/FUL

Target Date: 27.06.2007

Applicant: Mr Q Holt
Location: 44 Victoria Road, Exmouth

Proposal: Conversion of existing dwelling into 4 self contained flats

CONSULTATIONS

County Highway Authority

Recommend refusal on grounds of inadequate parking provision and encouragement for parking on highway.

Contaminated Land Officer

No comments

TOWN/PARISH COUNCIL

Objected to the application as originally submitted on the grounds of loss of another family house, parking problems and concern about sewage system and flooding in the area. Having been advised of the fact that the existing property is already in multi-occupation the Town Council has nevertheless decided to maintained its opposition to the proposal.

WARD MEMBER(S)

No comments received.

REPRESENTATIONS

Objections

1 letter has been received raising the following points:

- Further pressure on already inadequate parking in the road
- Added pressure upon water/sewage system.

RELEVANT PLANNING HISTORY

None in respect of the subject property but permission was recently refused for the conversion of No 54 Victoria Road into 3 flats. That property is part of the same terrace and a similar house shape, type and style.

The development at No 54 involved converting a similar terraced house into 3 flats. This was refused on the grounds of an over intensive use of the site, giving rise to a poor relationship between the units created and low-grade residential amenities for future occupants and inadequate provision for car parking. The scheme that forms part of this application is directly comparable with the current proposal at No 44. An appeal was lodged against the decision to refuse the conversion of No 54, an Inspector appointed and a site inspection held. However, the Inspector was told at the site inspection that the appellant no longer had an interest in the property and no decision will be taken upon the appeal.

PLANNING POLICIES

Devon Structure Plan 2001-2016

Policy CO6 – Quality of new development

Adopted East Devon Local Plan

Policy D1 - Design and Local Distinctiveness

Policy H6 – Conversion of Existing Dwellings and Other Buildings to Flats

Policy TA7 - Adequacy of Road Network and Site Access.

Policy RE3 – Open space provision in new housing developments

SITE LOCATION AND DESCRIPTION

No 44 Victoria Road is a Victorian/Edwardian two-storey bay fronted mid-terraced house lying in the centre of a very long row of similar properties along the north side of the road. It is presently in multiple occupation with a rear outshoot and a detached garage that stands at the northern end of the very small enclosed courtyard garden with direct access onto Victoria Way. Victoria Way is a one-way street that serves the rear of properties in Victoria Road on its south side and a collection of commercial units, mainly related to the motor trade along its northern side.

It was noted on the site inspection that other properties along this side of the road have been converted from their origins as single family dwellings into flats (generally two units), B & B accommodation and in at least one case, a Residential Home.

PROPOSED DEVELOPMENT

Planning permission is sought to convert the existing property into 3 one bedroom and 1 two bedroom flats. Two would be on the ground floor and two above. Access into flats 1(gf), 3 and 4(ff) would be taken through the existing front door onto Victoria Road. The access into flat 2 (gf) would be off Victoria Way to the rear, via a pedestrian gate into the enclosed hard surfaced rear courtyard. This pedestrian access would be created alongside the existing garage by building a new dividing wall.

Some new internal dividing walls would be erected throughout the existing property to define each separate flat. The second bedroom (for flat 3) would be created within an existing loft conversion. There does not seem to be the need for any external alterations as part of the conversion works.

CONSIDERATIONS AND ASSESSMENT

The long terrace of family houses along Victoria Road, in the heart of Exmouth contains dwellings that have been converted into flats or other multi-occupation uses. The principle of such conversions does not seem to have been an issue in the past and indeed policy H6 of the adopted local Plan is a permissive policy which supports such conversions and changes of use to self contained flats in certain circumstances.

The first of the three criteria by which conversions are judged relates to the character and amenities of the surrounding area or the building itself. The second relates to the need for adequate parking, unless well served by public transport and the third requires provision to be made for refuse.

Contrary to the information contained within the application form, the existing property has been in multi-occupation for sometime and requests from the applicant to establish the precise nature of that accommodation have resulted in him explaining that there are presently 5 self-contained bed-sits in the first floor, one bed-sit and a two bedroomed flat on the ground floor and a self contained flatlet within the loft space. Although planning permission has not ever been granted for this arrangement it is believed that this has become the lawful use of the premises over time. The property benefits from a Premises Licence under the Housing Act 2004 for 6 individuals on the first floor and the owner's family below, valid until February 2012.

Whilst it is considered that the sub-division of original family houses in historic terraces of this nature, and others in the area on the opposite side of the road for example, into too many flats has the potential to damage the overall character and amenities of such a large area, on the basis that No 44 is already multi-occupied, it is felt that there could be no objection to the rationalisation of the accommodation to create 4 wholly self-contained units, for which Building Regulation Approval has already been granted.

The proposed flats 1 and 3 in the front part of the building would be reasonably sized units. Flats 2 and 4 would be smaller, with shared kitchen/sitting areas but still compare favourably with some of the existing units within the property. No external alterations are proposed here and the conversion should not give rise to any direct overlooking from first floor windows, over and above that which could be expected from single family occupation. None of the flats other than flat 2 would have any identifiable private amenity space, with the enclosed rear courtyard providing access into flat 2.

On the whole then, given the current, and established nature of the multi-occupation of No 44 Victoria Road, there would seem to be little basis upon which to object to these internal re-arrangements to create 4 separate flat units. Insofar as the first criterion of policy H6 is concerned this change would not detract unacceptably from the character of this part of the road, or the building itself. As the applicant points out, the creation of 4 flats would be available for first time buyers, helping with the current shortage of affordable housing.

The County Highway Authority object to the application due to insufficient off street parking being provided. This also formed the subject of the second reason for the refusal of the conversion of No 54 into 3 units. This suggests that the proposal is also contrary to the provisions of the second criterion of not only the second provision of Policy H6 but also Policy TA7 of the Local Plan relating to the adequacy of the road network. However, it is unlikely that the Highway Engineer has had the benefit of knowing about the current multi-occupation of the property and based upon the number of separate units within it, the number of people occupying those units (10) and the location of the property in relation to the town centre, it is considered that a refusal of permission on highway grounds could not be substantiated in this case. In any event the double garage at the rear of the site would be retained creating two off-street parking spaces for the development.

No refuse storage facilities have been identified on the application plans, but there is adequate room to provide them within the site. The notes on the drawings indicate that each flat would be provided with 0.9sq.m area for refuse storage, to be agreed with the Council's Building Control Section.

On the issue of off-site open space contributions, the multiple occupation of the property presently accommodates up to 10 people, all placing demands upon the open space facilities in Exmouth. It has been calculated that the number of additional bedrooms in this application is 3, based upon the dwelling being in single family occupation. As the proposal could well result in fewer people occupying the premises and because of the small starter home nature of the flats, then a contribution towards off-site open space provision in Exmouth could not be substantiated in this particular case.

It should be noted that the Town Council objected to the development as originally presented, based upon the loss of another family house and parking problems in particular. Although that does not now appear to be the case, the Town Council has reconsidered the application and remains opposed to the provision of 4 self-contained flats with the building. It considers that student bedsit occupation is different to family accommodation in multiple bedroom flats. The overall occupancy of the building could, it is claimed, potentially be increased beyond the current 10, and the requirement for parking would be even greater than at present. The Town Council has continued to object to the application on grounds of over-intensification, lack of parking and potential sewage problems. On a point of clarification relating to the Town Council's comments, the applicant has advised that the property has never been let to students, and suggests that the actual occupancy rate of the building could reduce as a result of its conversion into 1 x 2 bedroom and 3 x 1 bedroom flats.

CONCLUSIONS

Whilst not being entirely comfortable with the principle of the loss of single family accommodation to smaller flat units, in this case as the application premises already contains several self-contained bed sits, flats and flatlets, which according to the applicant houses 10 occupants, the proposal to change the nature of the multiple occupation into 4 purposely designed and created self-contained flats is considered to be acceptable here. Members are asked to ignore the 'Approved' stamp on the plans attached as this was done in error.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason – To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
2. No development shall take place until details of arrangements for the storage of refuse have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be made available before any of the approved flats are occupied and retained thereafter.
(Reason - To ensure that adequate refuse provision for the residents is made available in the interest of health and hygiene.)
3. Before the commencement of development hereby permitted, details and plans shall be submitted to and agreed in writing by the Local Planning Authority showing the provision of secure and undercover cycle storage facilities for each unit of accommodation. This facility shall be made available prior to the first occupation of the new accommodation and retained thereafter for the storage of cycles associated with the approved dwellings.
(Reason - To ensure that sufficient space is made available for the storage of cycles associated with the occupation of the dwelling and in order to promote sustainable forms of transport.)

Reasons for approval

1. The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.
2. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
3. The proposal does not cause a significant flood risk.