

**11 DCNC2007/3365/F - CHANGE OF USE OF PROPERTY TO HOUSE OF MULTIPLE OCCUPATION AT SHAW'S HOUSE, 18 OLD ROAD, BROMYARD, HEREFORDSHIRE, HR7 4BQ**

**For: Mr J T W Lyon, 22 Old Forge, Whitbourne, Worcestershire, WR6 5SB**

**Date Received:**  
29th October 2007

**Ward: Bromyard**

**Grid Ref:**  
65283, 54723

**Expiry Date:**  
24th December 2007

Local Member: Councillor P Dauncey

### **1. Site Description and Proposal**

- 1.1 The application relates to 18 Old Road Bromyard. It is a stone built dwelling within the established residential area of the town. It is part of a terrace fronting onto the pavement edge and has an attractive symmetry with two bay windows either side of a central doorway.
- 1.2 The application is retrospective and is for the use of the dwelling as a house in multiple occupation (HMO). At the time of inspection the property was being occupied by six individuals sharing two bathrooms and one kitchen. The dwelling has a private garden to the rear but no off street parking.

### **2. Policies**

Herefordshire Unitary Development Plan

H17 – Sub-division of existing housing  
TCR2 – Vitality and viability

### **3. Planning History**

- 3.1 None identified.

### **4. Consultation Summary**

Statutory Consultations

- 4.1 None required

Internal Council Consultations

- 4.2 Transportation Manager - No objection subject to condition requiring details of cycle parking.
- 4.3 HMO & Enforcement Officer - This property came to the attention of the Private Sector Housing Team in June 2007. It is a terraced house with 3 bedrooms, 2 receptions, kitchen, shower room, bathroom 2x WCs. It is currently being used as an unlicensed HMO, with 3 bedrooms and 2x receptions being used as 5 bedrooms. The facilities are currently only suitable for 3 occupants as there is only 1 kitchen. We have no records of the prior use of this property as an HMO.

## **AREA SUB-COMMITTEE**

There is a requirement for all HMO's in Herefordshire to be licensed as The Herefordshire Council has both Mandatory & Additional HMO Licensing under the new Housing Act 2004.

There is a shortage of this type of accommodation in Herefordshire. The property is in good condition apart from a lack of fire precautions and a second kitchen.

It would be suitable for multiple occupancy, subject to the requisite standards for HMO's in Herefordshire being met, (in terms of occupancy numbers, suitable fire precautions in place, free of absence of Category 1 Hazards and sufficient facilities for the storage, preparation & cooking of food).

If planning permission is granted on current occupancy levels, Private Sector Housing will serve Enforcement Notices under the Housing Act 2004 to limit the occupancy to a level commensurate with the facilities that can be comfortably provided. Alternative suggestions about the current use of the accommodation have been made to the applicant, which would enable him to have 6 occupants maximum in 4 bedsits.

Therefore Private Sector Housing has no objection, in principle, to a change of use to an HMO, but would seek a restriction in the number of occupants permitted.

### **5. Representations**

5.1 Bromyard Town Council - Do not support the application as it was felt that the proposal will be detrimental to the residential amenity of other residents in the area.

5.2 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

### **6. Officers Appraisal**

6.1 Policy H17 of the UDP sets three tests for applications and these are as follows:

1. there is adequate car parking and access.
2. accommodation is of a satisfactory standard including internal layout and private amenity space.
3. there is no undue impact on the character of the property, the amenity of neighbouring dwellings or the amenity and general character of the area.

6.2 The property occupies a town centre location and is within the boundary of the town's conservation area. None of the properties in this part of Bromyard are afforded off-street parking and the nature of the accommodation to be provided is such that residents are likely to be on lower incomes and not likely to be car owners. Accordingly the Transportation Manager has raised no objection to the application, subject to the provision of appropriate cycle parking. There is more than sufficient room in the back garden and a side entrance to achieve this.

6.3 The comments of the Council's HMO & Enforcement Officer are most pertinent in respect of the standard of the accommodation. Apart from the lack of sufficient kitchen facilities for six people, it is noted that the property is in good condition and that there is a lack of the type of accommodation to be provided by this application. It is possible that additional kitchen facilities could be provided quite readily although this may result in the loss of one of the downstairs bedrooms. The suggestion that a condition is imposed to limit the occupancy levels of the property is clearly unnecessary as this is governed by the Housing Act 2004. The application itself

**AREA SUB-COMMITTEE**

does not make reference to specific numbers, merely that a change of use is requested.

6.4 The property benefits from its own private garden and therefore the second criteria of the policy is considered to be satisfied.

6.5 Finally, the external appearance of the property is unaltered. It is part of an attractive terrace that contributes quite considerably to the street scene. No objections have been received from neighbouring dwellings which suggests that the use of the dwelling as an HMO has not been causing a nuisance and it is concluded that the third criteria is also met. The use will contribute to the vitality and viability of the town centre in the longer term and the scheme is considered to accord entirely with policy. Accordingly the application is recommended for approval.

**RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1 - A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 - H29 (Secure covered cycle parking provision )**

**Reason: To ensure that there is adequate provision for secure covered cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.**

**Informatives:**

**1 - N15 - Reason(s) for the Grant of PP/LBC/CAC**

**2 - N19 - Avoidance of doubt**

Decision: .....

Notes: .....

.....

**Background Papers**

Internal departmental consultation replies.

AREA SUB-COMMITTEE

