

PLANNING APPLICATION OFFICERS REPORT



Application Number	25/01194/FUL	Item	01
Date Valid	22.09.2025	Ward	DRAKE
Site Address	87 North Hill Plymouth PL4 8JT		
Proposal	Change of use from a HMO (Class C4) to a large HMO (Sui Generis)		
Applicant	Mr B Lynch		
Application Type	Full Application		
Target Date	17.11.2025	Committee Date	18.12.2025
Extended Target Date	19.12.2025		
Decision Category	Councillor Referral		
Case Officer	Ethan Bell		
Recommendation	Grant Conditionally		



This Application has been brought before committee as it has been referred by Councillor Ricketts

1. Description of Site

87 North Hill is a terraced dwellinghouse in the Drake ward of the city. The site currently operates as a House in Multiple Occupation (HMO) under Use Class C4, which can be supported by the lawful development certificate issued establishing this use (under application 25/00773/EXUS).

2. Proposal Description

The proposal is for a change of use from a 6-bed HMO to a large HMO (Sui Generis).

3. Pre-application Enquiry

There was no pre-application enquiry.

4. Relevant Planning History

25/00773/EXUS - Establish the existing use as a C4 HMO (3-6 persons) - Granted Conditionally

5. Consultation Responses

Community Connections - Neutral on the application.

Lead Local Flood Authority - No objection.

Local Highway Authority - No objection.

Natural England - Online consult re SSSI Impact Zone. No further action required

Public Protection Service - No objection.

Waste residential - No objection.

6. Representations

A letter of representation was received objecting to the application, which raises the following issues;

- o Overdevelopment
- o Poor standard of accommodation

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the 2004 Planning and Compensation Act sets out that the determination of any matter under the planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park). The Plymouth & South West Devon Supplementary Planning Document 2020 provides amplification of the policies of the Joint Local Plan.

The relevant policies and/or provisions of the following documents will also have the potential to be material to the consideration of the application: National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022, Southwest Marine Plan 2021 and the Joint Local Plan Five Year Review Report, 2024.

The most relevant Policies of the JLP in relation to the development proposed are:

- SPT1 Delivering sustainable development
- SPT2 Sustainable Linked Neighbourhood
- DEV1 Protecting health and amenity
- DEV10 Delivering high quality housing
- DEV11 Houses in Multiple Occupation in the Plymouth Article 4 Direction Area
- DEV20 Place shaping and the quality of the built environment
- DEV26 Protecting and enhancing biodiversity and geological conservation
- DEV29 Specific provisions relating to transport

8. Analysis

1. This application has been considered in the context of the development plan, the Framework and other material considerations as set out in Section 7.

Principle of Development

2. Policy DEV11 of the JLP sets a maximum threshold level of 10% HMOs, including the application site, within a 100m radius of the application site. This is to ensure an adequate balance of residential character and community cohesion and avoid impacts such as parking, anti-social behaviour or noise and disturbance. As the property's lawful use is already that of a HMO under use class C4, officers do not need to assess the property against DEV11. This is because the principle of the property's use as a HMO has already been established.

3. Officers therefore consider that the scheme is in accordance with DEV11 of the JLP.

Design

4. No external alterations to the property have been proposed. As such, there will be no noticeable impact on the dwelling visually and the proposal is deemed to comply with DEV 20 of the JLP.

Occupant Amenity

5. The Council's Community Connections Team have been consulted on the application and were neutral to the proposal, stating they would likely grant a license for 9 residents. Community Connections also set out the licensable standards for HMOs.

6. With reference to the Council's HMO standards, all bedrooms are an adequate size, with the smallest room approximately 9.7 square metres, larger than the required 6.51 square metres minimum. In addition, all bedrooms will be served by en-suite bathrooms which is strongly supported for a HMO of this size. The HMO standards do not directly require a separate shared lounge, which is not provided.

7. The multi-functional kitchen/diner/living room space is seen to be fairly minimal given the 9 occupants proposed, with a width and length of approximately 3m and 9.6m. Whilst unconventional in design, the proposed dining area is L-shaped but is seen to be of sufficient size to accommodate dining space and seating to serve at least 2/3 of the occupiers at once, which is highlighted in the HMO standards. Additionally, the standards state you should aim to provide 3m squared for each person using a shared kitchen. Officers recognise a shortfall of around 10 square metres, but the measurements were provided to Community Connections who did indicate a HMO license would likely, following a site visit, be granted for 9 occupants. Overall, given the generous size of the bedrooms, the provision of ensuites, and the amended layout that has been proposed for the communal space officers consider, on balance, that the property will provide a good level of amenity to future occupants. Whilst a communal lounge would enhance the ability for future occupants to socialise together, this is not required through the licensing process and officers consider suitable space will be available for future residents.

8. Furthermore, the location of the HMO is seen to be in one of the most sustainable locations in Plymouth, within a short walk of the city centre and the university. The property is situated a short distance from high quality amenity space at Houndiscombe Park and Drakes Place.. Also, as the alterations are entirely internal, the rear courtyard will remain with bike and refuse storage provided on site.

Neighbour Amenity

9. The property has been used as an HMO for a number of years and is within a student centric and traffic heavy area of the city. As such, officers do not consider the addition of 3 residents to the

HMO will be detrimental to neighbouring amenity. Planning history indicates that the adjoined neighbours no.85 is operational as student accommodation , with a granted change of use from offices to student accommodation in 2011. The neighbour to the North, no.89, has planning history from 2013 that granted the ground floor to be used for office accommodation with residential flats above. The addition of 3 residents is not viewed be harmful to neighbouring amenity and these adjoined neighbours.

10. Officers note that the HMO must be licensed in order to operate. Officers have also conditioned that each new resident of the property must be given a welcome pack which will set out how to limit disturbances to neighbouring properties, alongside details on sustainable transport uses and guidance on refuse storage. Subject to such a condition, officers consider the amenity impact of the HMO will be sufficiently managed.

11. The Council's Public Protection Team have been consulted on the application and raise no objections. As a result, the proposal is considered in accordance with DEVI of the JLP.

Highways Considerations

12. Officers have considered the potential for increased traffic movements and parking in the area as a result of the scheme. The Local Highway Authority (LHA) have been consulted on the application and raise no in-principle objections.

13. The application site is located in Parking Permit Zone J, which is in operation between 10am and 5pm, Monday to Saturday. Confirmation from the LHA notes that no additional permits will be given to the additional households and that currently the property is exempt from being issued any parking permits. This exemption will be retained and no parking permits will be issued to current or future residents. Given the highly sustainable nature of the site, within close walking distance to the city centre as well as rail and bus links including the main Plymouth train station, officers do not raise concerns with the lack of off-street parking at the site. Officers do recognise the retention of the rear hardstanding which would provide one off street parking space but have no concerns regarding this space. Cycle storage will be provided in the rear courtyard of the HMO, which is conditioned to accommodate a minimum of 5 cycle spaces.

14. Overall, given the very sustainable location of the site and subject to the condition regarding bike storage, officers do not have concerns regarding impact on the public highway and see the proposal to abide by DEV29 of the JLP.

Refuse and Waste

15. The proposed site plan shows the dedicated bin storage area, and officers consider the bin storage to be acceptable. The residential waste team raised no concerns regarding the increase in occupancy, but they noted that the site is subject to communal bins in the rear lane. The annotated bin storage area should be used to store the bins serving the dwelling at all times apart from on waste collection day.

16. Overall, the development is seen to abide by DEV31 of the JLP.

Drainage

17. The site is located in flood zone 1 and is considered to be at low risk from fluvial or tidal flooding. Surface water flood risk mapping indicates the site is at low risk from a 1 in 100 year return period event. The site is also located within a critical drainage area.

18. The Lead Local Flood Authority have been consulted on the application and raise no objections, stating there will be no significant increase in the total impermeable area of the site. With no external alterations, the scheme is seen to be in accordance with DEV35 of the JLP.

Biodiversity Net Gain

19. The application is exempt under the de minimis exemption as it proposed a change of use with minimal alterations that would impact on habitat.

Other Considerations

20. Officers have considered the details as submitted in the Climate Emergency Compliance Form. It is regrettable that no low carbon mitigation or adaptation measures are proposed. However, given the limited nature of the scheme which comprises only of a change of use with no external alterations, it is considered disproportionate to request additional mitigation in this case. The wildlife trigger table also indicated no further ecology information was required.

21. Due to the increase in bedrooms, officers have conducted a Habitats Regulations Assessment (HRA02 - recreational only). The authority has concluded that the adverse effects arising from the proposal are wholly consistent with and inclusive of the effects detailed in the Tamar Estuary Estuaries Management Plan and the Yealm Estuary Environmental Management Plan. The authority's assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

None.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not sought due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the development will provide a good standard of accommodation for future occupiers without prejudicing the amenity of existing residents in the locality. The proposal accords with policy and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 22.09.2025 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

Proposed Plans and Elevations J729 - 15-01 Rev A received 22/10/25

Location Plan 11092025 received 11/09/25

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: COMMENCE WITHIN 3 YEARS

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The development hereby permitted shall not be occupied until secure and covered cycle storage for 5 bicycles has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The secure area for storing bicycles shall remain available for its intended purpose in perpetuity and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and the National Planning Policy Framework.

4 CONDITION: NUMBER OF BEDROOMS

COMPLIANCE

No more than 9 bedrooms shall at any time be present in the property and these bedrooms shall be as marked on the approved proposed floor plans (ref: J729 - 15-01 REV A). No other part of the property shall at any time be used as a bedroom.

Reason:

The use of other rooms as bedrooms could lead to an over-intensification of use of the building resulting in harm to the amenities of neighbours and the character of the area in accordance with policies DEV1, DEV10, DEV11, and DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

5 CONDITION: WELCOME PACK

COMPLIANCE

Each new occupant of the HMO hereby approved shall be provided with a welcome pack setting out how to limit disturbances to neighbouring properties, providing details of public transport and cycle routes, and setting out how and where refuse and recycling bins should be stored and their location for collection.

Reason:

In the interests of the amenity of occupants and the amenity of the surrounding area in accordance with policies DEV1, DEV2 DEV11, DEV29, and DEV31 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

6 CONDITION: BIN STORAGE

PRE-OCCUPATION

The HMO hereby approved shall not be occupied until the bin storage area shown on the approved plans has been made available for use. This area shall remain available for its intended purpose and shall not be used for any other purpose without the written consent of the Local Planning Authority. Bins shall be stored in this area at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage in accordance with policies DEV1, DEV2, and DEV31 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

INFORMATIVES

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: CODE OF PRACTICE

During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working. Demolition or construction works shall not take place outside: 08:00 hours to 18:00 hours Mondays to Fridays; 08:30 hours to 13:00 hours on Saturdays; nor at any time on Sundays or Bank Holidays.

The applicant is also directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

3 INFORMATIVE: BIODIVERSITY NET GAIN EXEMPTION

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, this application falls under the de minimis exemption due to the minor scale of physical works proposed. This application is therefore not subject to the mandatory Biodiversity Gain condition.

4 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

5 INFORMATIVE: DESIGNING OUT CRIME

The applicant is advised to review the submitted Designing Out Crime Letter (dated 08.10.2025) for guidance on safety and security for tenants.

6 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

The applicant should be made aware that the property lies within a resident parking permit scheme therefore in accordance with Council policy the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

7 INFORMATIVE: HMO LICENCE

The applicant should be made aware that the necessary HMO Licence will need to be obtained from the Council's Community Connections team. For further guidance please review the submitted Community Connections Letter for this application (dated: 05.11.2025).