

ITEM: 13

Application Number: 09/01070/FUL

Applicant: Mr and Mrs Ian Crabb

Description of Application: Change of use and conversion of ground floor offices with residential above to form two units of student accommodation providing 15 bedrooms in total

Type of Application: Full Application

Site Address: 29-30 REGENT STREET GREENBANK PLYMOUTH

Ward: Drake

Valid Date of Application: 29/07/2009

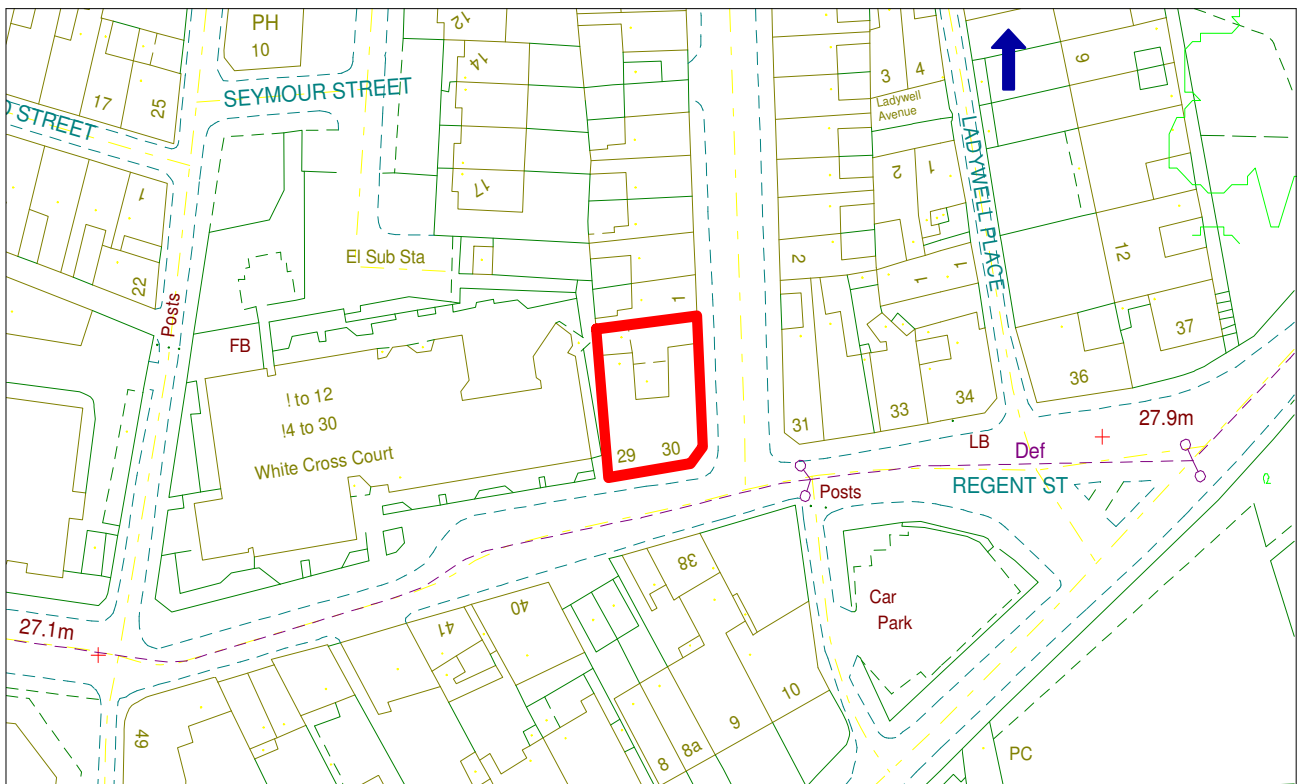
8/13 Week Date: **28/10/2009**

Decision Category: Major Application

Case Officer : Stuart Anderson

Recommendation: Refuse

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OFFICERS REPORT

Site Description

The site of the proposed development is 29-30 Regent Street. The property is currently vacant. It was previously used as offices for a lettings agency on the ground floor. The upper floors appear to have been used as a house in multiple occupancy.

Proposal Description

Change of use, conversion and second-floor rear extension of ground-floor offices with residential above to form two units of student accommodation providing 16 bedrooms in total.

The proposal would involve splitting the existing building into two, thus creating two student houses.

The proposed extension would measure 4.35m deep by 3.85m wide, and would be situated above an existing rear tenement.

Relevant Planning History

00/00447/FUL - Change of use of first and second floors to maisonette (granted)

Consultation Responses

Transport Officer – no objections in principle, but recommending cycle storage condition, and condition restricting the use of the property to student accommodation

Public Protection Service – recommending refusal, on the basis that no contaminated land study has been submitted

Representations

Six letters of representation have been received, all of which show objection to the proposal. The objections are on the grounds of:

1. Parking problems,
2. Noise and disturbance,
3. Increased amount of rubbish,
4. Poor standard of accommodation,
5. Overdevelopment,
6. Disruption while building works are being carried out,
7. No indication of fire doors or sprinkler system, or emergency lighting or alarm system, or soundproofing,

8. The proposed second floor rear extension should not be built, as the existing building is not strong enough to support the extra weight of the blocks and roof structure.

Points 1-6 are discussed further in the following report. Points 7-8 are more building regulation matters than planning matters.

Analysis

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.

Update -

Members will recall that this proposal was brought to the previous committee meeting with a recommendation to refuse. Committee resolved that the application be presented to the next committee meeting, in order to consider a revised proposal. Amended plans have been submitted which show the removal of the previously proposed second floor rear extension. Therefore, the issue of loss of light to the neighbouring properties is cancelled out, and refusal reason 1 of the previous recommendation is now deleted.

With regard to refusal reason 2 of the previous recommendation, discussions with the applicant's planning consultant have taken place, and revised drawings showing a symmetrical front (south) elevation are expected. If these are not received, refusal reason 2 will remain (it is reason 1 in the recommendation below).

With regard to refusal reason 3 of the previous recommendation, it is noted that the proposal no longer relies upon the construction of a rear extension to provide additional floorspace to provide one of the bedrooms. Also, information has been provided by the City Council's Housing Department to show the minimum allowable room sizes for student accommodation. For a single student bedroom, this is 6.5 square metres of floorspace. The smallest rooms in the proposed development exceed this figure (the smallest room is 9 square metres). Therefore, it is considered that the proposal no longer results in over-intensive occupation.

With regard to previous refusal reason 4, discussions with the City Council's Legal Department are continuing on the issue of tariff payments and an update on this aspect will be the subject of an addendum report. In this report, this forms a second refusal reason in the recommendation below.

The relevant policies are CS15, CS28, CS33, and CS34 of the Core Strategy. The relevant issues are discussed below.

THE PRINCIPLE OF THE PROPOSED DEVELOPMENT

It is necessary to consider whether the proposed development is compatible with its surroundings. Student property and subdivided properties are common in this area.

A change of use to provide student accommodation is considered to be acceptable in principle.

The City Centre Area Vision Strategy acknowledges in paragraph 5.23 that:-

With the rapid expansion of the university there is a need for more student accommodation. This is an issue for the area and surrounding community.

This is further amplified and explained in paragraph 5.25 of the 'Approach' section which states:-

The Council will take a positive approach to promoting development of key opportunity sites that can help deliver a step change in the quality of the city centre and the services and facilities it provides. These will include:-

- *The provision of student dwellings in and around the city centre and university area in accordance with the university's strategy for delivering accommodation. Such development needs to be managed such that there is appropriate integration with existing communities*

The university's strategy for delivering accommodation is set out in *University of Plymouth Accommodation Strategy*. It identifies a critical shortage of appropriate property for students as numbers continue to expand to 19,912 full time equivalent 2007-2008 - boosted partly by 1,150 transfers from Exmouth campus in 2008-2009 to at least 21,062 in Sept. 2008. This expansion, and consolidation on the main Plymouth campus, has resulted in a significant shortfall between the number of university managed bed spaces available (University Managed bed spaces 1,760, plus University allocated spaces 347 [Unite building]) and strong ongoing demand from students which is not satisfied by current provision. In Sept. 2007 the university received 3,468 applications from new incoming students 90% of whom had expressed a preference for managed allocated bed spaces – over 1,000 were disappointed. In relation to future provision the Strategy states:-

The university would like to offer new incoming students a place in a managed or allocated property for at least their first year of study. To achieve this aim would require future provision of at least 1,000 bed spaces in either managed or allocated scheme. There is a marked preference for large cluster flats studio developments

The application site is located within 5 minutes walk of the main university campus and its change of use to provide specialist student accommodation

would clearly help meet the demand identified in the university's accommodation strategy.

Tensions between residents and students are not always easy to reconcile; but a key issue here is whether, on balance, the proposal helps deliver a sustainable community in accordance with Core Strategy Policy CS01 (Development of Sustainable linked Communities) and Policy CS15 (Overall Housing Provision). It is considered that the principle of student accommodation here is acceptable in terms of these policies, for the reasons given above.

STANDARD OF ACCOMMODATION.

The proposal seeks to provide eight student rooms in each of the two newly created student cluster units. One communal lounge and kitchen are to be provided within each new student cluster unit. On the face of it, it seems that there is insufficient space within the building to satisfactorily provide the number of student bed spaces proposed. In particular, on the ground floor of one of the proposed cluster units, two student rooms are proposed which would measure only 2 metres in width. However, information provided by the City Council's Housing Department shows that the smallest rooms in the property exceed the minimum allowable size for a single student bedroom, which is 6.5 square metres, and are not so narrow that a bed cannot be accommodated, plus the rooms would have reasonable outlook and natural lighting. The proposal is therefore considered to be satisfactory to policy CS15.

IMPACT ON AMENITY

In terms of privacy, there is considered to be no impact on the surrounding properties. There is a side window in the neighbouring property to the west, White Cross Court, but this window is unlikely to serve a habitable room. On this basis, and as the previously proposed extension has been deleted, the proposal is now considered to be satisfactory to policies CS15 and CS34 of the Core Strategy.

IMPACT ON STREETSCENE

The existing property has been in commercial use for some time. Its elevation to Regent Street is very symmetrical – its shopfront style windows at ground floor level being balanced with the arrangement of windows at first and second floor levels. The proposed conversion, and the associated subdivision into individual rooms, appears to necessitate the installation of new windows which would completely spoil the balanced appearance of the front elevation – contrary to Core Strategy Policy CS34 (sub paras 3 and 4) .

HIGHWAYS/PARKING

Subject to the imposition of conditions recommended by the Transport Officer, the proposal would be considered satisfactory in highways/car parking terms.

TARIFF CONTRIBUTIONS

The proposed scheme is liable to make tariff contributions in accordance with Core Strategy CS33 and the LDF Planning Obligations and Affordable Housing SPD. The applicant has refused to make any such contributions.

Equalities and diversities issues

None.

Section 106 Obligations

See above

Conclusions

The principle of providing student accommodation in this property is acceptable. However, on the basis of the visual impact of the front elevation, and the absence of tariff payments, the proposal continues to be recommended for refusal.

Recommendation

In respect of the application dated **29/07/2009** and the submitted drawings, **Site location plan, 32:01:09, 32:02:09, 32:03:09, 32:04:09, 32:05:09, 32:06:09A, 32:07:09, 32:08:09B, and accompanying Design and Access Statement, Amended description**, it is recommended to: **Refuse**

Reasons

TARIFF PAYMENTS

(1) The application attracts payments under the tariff system, due to the number of bedrooms being proposed. In the absence of any contribution being made, the proposal is contrary to policy CS33 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

VISUAL IMPACT

(2) The proposed south (front) elevation of the building lacks symmetry and appears imbalanced, due to the uneven proposed positioning of the windows. The Local Planning Authority considers that this would result in a negative visual impact that would be unacceptable, and is thus contrary to policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, were taken into account in determining this application:

- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS15 - Housing Provision