

ITEM: 04

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 (two cluster units)

Type of Application: Full Application

Site Address: 29-30 REGENT STREET GREENBANK PLYMOUTH

Ward: Drake

Valid Date of Application: 29/07/2009

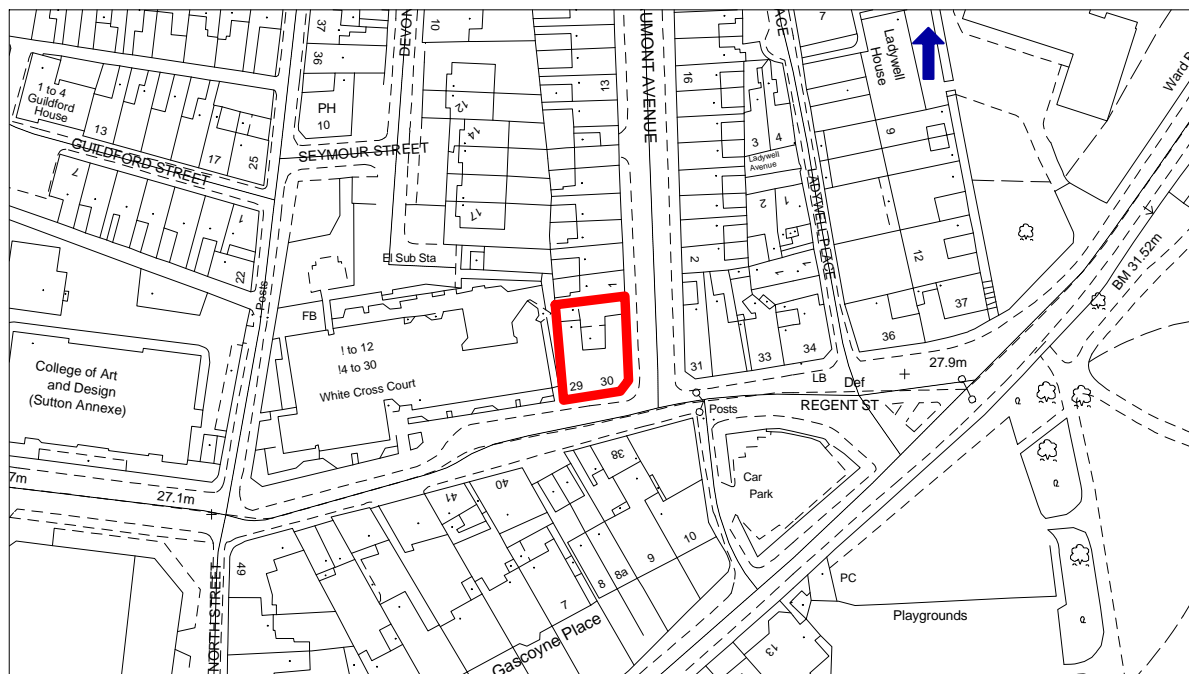
8/13 Week Date: **23/09/2009**

Decision Category: Major Application

Case Officer : Stuart Anderson

Recommendation: Grant Conditionally

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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 and conversion of ground-floor offices with residential above to form two units of student accommodation providing 15 bedrooms in total.

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

An extension was originally proposed, but this has now been deleted from the plans.

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

Seven 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. Point 7 is a building regulation matter. Point 8 relates to the extension, which has now been deleted.

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 -

This application was brought to the previous committee meeting when it was resolved to defer determination to allow for consideration of revised plans.

The relevant policies are CS15, CS28, CS33, and CS34 of the Core Strategy, and Supplementary Planning Document 1. 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 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 therefore a bed can 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. 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.

Some of the letters of representation refer to noise and disturbance from student behaviour. It is therefore recommended that a condition is added requesting the submission of a management plan for the building, in the interest of lessening the potential for noise and disturbance to occur.

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, involves the installation of new windows. The most recent set of amended plans shows that the windows would be placed in a symmetrical arrangement, thus having a minimal impact on the streetscene. The proposal is therefore satisfactory 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

A review of the way proposals for student accommodation should be described and publicised has recently taken place, with a view to finding a consistent approach to this matter. The outcome is that student accommodation applications should be classified by 'cluster' (i.e. rooms sharing a lounge/communal area. In the case of the current application, only two clusters are being applied for, which results in the proposed development not triggering payments under the tariff system.

CONTAMINATED LAND

The Public Protection Service have recommended refusal on the basis that no contaminated land survey has been provided. However, the property currently already has some residential use, and no excavation works are proposed, therefore it is considered that it would be unreasonable to refuse permission on this issue.

Equalities and diversities issues

None.

Section 106 Obligations

None.

Conclusions

The issues relating to this case are considered to have been successfully addressed by the submission of amended plans, and the proposal is now recommended for approval.

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, 32:08:09C, and accompanying Design and Access Statement**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

STUDENT ACCOMMODATION

(2) The occupation of the accommodation hereby permitted shall be limited to students in full time education only unless otherwise agreed in writing by the Local Planning Authority.

Reason:

The accommodation is considered to be suitable for students in accordance with Policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, but its occupation by any other persons would need to be the subject of a further application for consideration on its merits.

MANAGEMENT PLAN

(3) Prior to the occupation of the building, details of the manner in which the approved student accommodation is to be managed (including possible on-site management) shall be submitted to and approved in writing by the Local Planning Authority. The accommodation shall be run in accordance with the approved details from the commencement of the use.

Reason:

In the interest of residential amenity, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(4) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building, in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: visual amenity, standard of accommodation, impact on residential amenity, highways, and contamination, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning

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 Government Policy Statements and Government Circulars, as follows:

- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS15 - Housing Provision
- SPD1 - Development Guidelines