

ADDENDUM REPORT

Planning Committee



Item Number: 1.2

Site: UNITS 9 & 10 SHERWELL HOUSE, 30 NORTH HILL, PLYMOUTH

Planning Application Number: 18/00830/FUL

Applicant: Sherwell House Management Ltd

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I. Email from Applicant

The applicant, in support of their planning application has submitted an email to the Local Planning Authority, which refers to a document prepared and published by the Council in February 2017. The document entitled 'Plymouth Student Accommodation' was a draft document attached as Appendix 9 to Plymouth's Strategic Housing Land Availability Assessment published in February 2017 in advance of the Plymouth and South West Devon Joint Local Plan (JLP) pre-submission consultation (March-April 2017). Appendix 9 specifically set out the methodology for calculating Houses in Multiple Occupation (HMO) releases as a result of new purpose built student accommodation. Members will be aware the JLP Examination in Public concluded in March this year and the outcome of the Inspector's Post Hearing Findings are expected imminently.

The applicant has requested that members note Page 8 of the draft report included at Appendix 9 which states, "It is of note that HMOs can be converted back to family homes without planning permission and small HMOs with up to four occupants do not require planning permission in any part of the city".

Officers have reviewed this document as part of the assessment of this application and can advise that unfortunately, a typing error has been identified by the applicant. Officers are thankful that this has been brought to the attention of the Council. The document entitled Plymouth's Student Accommodation is under review and is currently being brought up to date and it will be amended to remove the error that has been highlighted.

Officers can therefore reiterate the position outlined in the Committee report that planning permission for the change of use from C3 Dwelling houses to C4 Houses of Multiple Occupation is required for proposals located within the Article 4 Direction Area. As stated in the officer's report, the application site is within the Article 4 Direction Area.

For clarity, officers can provided the Definitions of Use Classes C3 and C4, as clearly expressed in The Town and Country Planning (Use Classes) Order 1987 (as amended):

Class C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny,

nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

Class C4 - Houses in multiple occupation

Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

[NB: Larger Houses of Multiple Occupation providing accommodation to 7 or more occupants falls with Use Class Sui generis]

Additional public comment

A further public comment has been received supporting the officer recommendation.