

**APPLICATION NO:** 19/0479 FUL &19/0480/LBC

**APPLICANT:** Mr Duncan Wall

**LOCATION:** 2 Regents Park Exeter

**PROPOSAL** Change of use from dwelling/bed and breakfast to Home in Multiple Occupation and associated listed building consent

**REGISTRATION DATE:** 25.05.2019

**DESCRIPTION OF SITE/PROPOSAL**

The application site is located on the corner of Polsloe Road and Regents Park. This Grade II end terrace property is located within the Mont Le Grand conservation area. The building has been vacant for a number of months but recently some internal and external refurbishment works have been undertaken. A listed building consent has been submitted for internal alterations to the building, which are more significant than the general repairs currently taking place. The listed building application includes the removal of the glass partitions to the stairway; removal of an internal wall and fireplace adjacent to the entrance lobby and enlargement of an existing opening between the former kitchen and proposed dining room. There are no external changes to the building as part of the listed building application.

In addition, a planning application has been submitted for the change of use of this building formerly used for residential accommodation and bed and breakfast to a house in multiple occupation (HMO). The application proposes the use of eleven bedrooms within this three storey building. At ground floor three bedrooms are proposed in addition to a separate living room and a combined dining room/kitchen created by the partial removal of an internal wall. At first floor four bedrooms are proposed with separate bathroom/wc and shower room/wc with a similar layout for the second floor.

The existing garden areas fronting Polsloe Road and Regents Park are to be retained. The existing hardstanding to the south of the building currently used for parking is indicated for delivery and visitor parking only. In addition, a new bike/refuse covered storage area is provided to the rear of site and new iron gates are proposed to the Polsloe Road frontage.

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access and Heritage Statement has been submitted with the application.

**REPRESENTATIONS**

10 letters/emails of objection received. Principal issues raised:-

1. Potential for the building to be used by students;
2. No need for additional student accommodation in the area;
3. Concern over student behaviour ie noise and disturbance;
4. Change to the character and appearance of this conservation area/listed building;
5. Insufficient on-site parking spaces to meet demand;

6. Pressure on existing parking in the area;
7. Concern that the building will be unsupervised and could potentially be used as a hostel;
8. Detrimental impact on amenities of neighbouring residents;
9. Works to the building started without appropriate consents being obtained;

## **CONSULTATIONS**

**The County Head of Planning Transportation and Environment** comment that Regents Park is a residential road with resident parking permit zones. As the site is situated in an existing residents parking area where there is high demand for on street spaces, the applicant is advised that in accordance with current policy, additional on street resident parking permits will not be issued to serve this development. Given that the site is within walking distance of City Centre and in close proximity to bus services on Heavitree Road, the existing space for 5 vehicles accessed off Polsloe Road is acceptable. It is noted that new gates are proposed on Polsloe Road; this is acceptable given the precedence set on Polsloe Road. The applicant is advised to encourage travel by sustainable modes and in accordance with current policy, facilities for secure cycle parking should be provided on site.

Given the sensitive location, the applicant is advised that any works vehicles (for construction) will need to be catered for either on site or in a suitable location – a temporary traffic regulation order may be required to allow sufficient working space (temporarily suspending the parking bays). Although a construction and environmental management plan condition would normally be recommended to secure this, in this instance the restrictions immediately outside the site should make this self-enforcing. Accordingly no objections are raised.

**The Council's Environmental Health officer** raise no objection subject to a condition in respect of demolition/construction times.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance - National Planning Policy Framework (February 2019)**

3. Plan making
4. Decision-making
- 11 Making effective use of land
12. Achieving well-designed places
16. Conserving and enhancing the historic environment

### **Exeter Local Development Framework Core Strategy (Adopted 21 February 2012)**

Core Strategy Objectives

- CP3 Housing
- CP5 Mixed Housing
- CP9 Transport

### **Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)**

- AP1 Design and Location of Development
- AP2 Sequential Approach
- H1 Search Sequence
- H2 Location Priorities
- H5 Diversity of Housing

*The conversion of dwellings to flats, self-contained bedsitters or houses in multiple occupation and the development of special needs or student housing will be permitted provided that:*

*a) the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;*

*b) the proposal will not create an overconcentration of the use in any one area of the City which would change the character of the neighbourhood or create an imbalance in the local community...*

T1 Hierarchy of Modes

T2 Accessibility Criteria

T3 Encouraging Use of Sustainable Modes

C1 Conservation Areas

C2 Listed Buildings

DG1 Objectives of Urban Design

DG6 Vehicle Circulation and Car Parking in Residential Development

### **Development Delivery Development Plan Document (Publication Version)**

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 Sustainable Development

DD13 Residential Amenity

DD20 Sustainable Movement

DD25 Design Principles

DD28 Heritage Assets

### **Exeter City Council Supplementary Planning Documents**

Sustainable Transport (March 2013)

Houses in Multiple Occupation including Class C4 Uses (January 2014)

### **OBSERVATIONS**

The existing building occupies a prominent location on the junction of Polsloe Road and Regents Park. It has a distinctive curved ground floor corner feature, which although an extension to the building in the 1950s does add to the character and appearance of this grade II listed building located within the Mont Le Grand conservation area. Given its location within the conservation area there is a statutory requirement under Planning (Listed Building and Conservation Area) Act 1990 S72, to pay special attention to the desirability of preserving or enhancing its character and appearance. The building has recently undergone some refurbishment both internal and external, which is to be welcomed and will help to maintain its importance within the streetscene. The listed building consent covers more significant internal works that have been previously described. These works will represent improvement to existing building's internal fabric; removing unsympathetic more recent internal additions. Irrespective of the proposed use covered by the planning application these works are considered beneficial to this building and accordingly the listed building consent is recommended for approval.

Local residents have raised concern that the proposed change of use application is specifically targeted towards a student use. The applicant has stated that there is '*no intention of marketing any part of this property to students*' and has advised that the accommodation will be aimed at employees from the hospital. Whilst this may be the applicant's intention, in planning terms, it would not be possible, if permission was granted to an HMO, for the building to be restricted to non-student use. The site is located outside the

Article 4 area and accordingly there is no in principle objection to an HMO use. The proposal is therefore to be considered on the merits of this particular site and building.

The building offers substantial internal accommodation occupying three floors but the external space is limited to the front gardens facing Polsloe Road/Regent Park and an area of hardstanding to the side alongside the existing retail premise. The property's garden area did originally include the site of the retail use. Given the size of the property and the limited outside amenity space it is unlikely to be converted into a single family dwelling in the future. Consequently it is necessary to consider alternative uses to ensure that this listed building continues to be occupied and does not fall into disrepair. Local Plan Policy H5 is relevant given its change of use to HMO and due to its location in a conservation area and listed building status as are Policies C1 and C2 in addition to the statutory requirement under S72 of the Planning (Listed Building and Conservation Area) Act 1990.

The area is characterised by individual family dwellings and flat conversions. Consequently unlike the St James and St Davids area there is not an overconcentration of HMOs in the vicinity and therefore could be acceptable in respect of Policy H5. As previously stated the building is substantial in size and it is considered that the room sizes coupled with the communal facilities in the form of separate living room and dining room/kitchen area would result in a good standard of accommodation. Although concern has been raised about the more intensive use of the site and the potential for a detrimental impact on neighbouring residential amenity, given the previous use as a bed and breakfast and residential use a similar level of use could conceivably have occurred. Whilst residents have suggested that the conversion of the building to flats would be more appropriate given existing flat conversions in the immediate vicinity this could have a potentially far greater impact on the internal fabric of the building through the introduction of additional kitchens and bathrooms and therefore be contrary to Policy C2.

The application proposes no parking facilities for residents on site and the highway officer has confirmed that parking permits would not be made available to future tenants. The area to the rear of the building is allocated for bin storage and cycle parking, which is considered appropriate in a location set back from the front of the site. This would minimise its potential impact on the character and appearance of the conservation area and therefore appropriate in respect of Policy C1. However further details are required of the structure associated with the bin and cycle storage to ensure it is acceptable in terms of external appearance and choice of material. The site is within a sustainable location close to public transport links and local amenities and therefore it is not considered that parking onsite is necessary or desirable. The use of the hardstanding area for delivery and visitor parking is therefore considered appropriate. The lack of permanent on-site parking will be beneficial in visual terms and help preserve the setting of the listed building in this conservation area location.

In summary, it is considered that the change of this substantial property to an HMO is appropriate in this location. The use will not result in an overconcentration of HMOs given the limited number in this area. The nature of the building and outside space lends itself to this type of use rather than family accommodation. The use will result in minimal changes to this existing building and the alterations proposed within the listed building consent are considered beneficial to the building. Given the previous use of the building as bed and breakfast/residential accommodation it is not considered that the use of the building will create a more harmful impact on the occupants of nearby residential uses. Accordingly it is considered that both the listed building and planning application should be approved.

## **DELEGATION BRIEFING**

13 August 2019 – Members noted the internal changes to the building proposed as part of the listed building consent application. Given the level of objections received it was considered that the applications should be reported to Planning Committee.

## **RECOMMENDATION**

**APPROVE** with the following conditions:

Planning application 19/0479/FUL

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 2 April 2019 (dwg nos. 0259\_REG\_EX\_1.0; 0259\_REG\_PL\_2.0 rev A; 0259\_REG\_PL\_2.1 rev A; 0259\_REG\_EX\_3.0 & 0259\_REG\_PL\_3.0) as modified by other conditions of this consent.  
Reason: In order to ensure compliance with the approved drawings.

3) Prior to the occupation of the development, details of the secure covered cycle parking and refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority and maintained in accordance with the approved details at all times.  
Reason: To provide adequate cycle and refuse storage facilities.

4) No site machinery or plan shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;  
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Listed Building Consent 19/0490/LBC

1) The works to which this listed building consent relate must be begun not later than the expiration of three years beginning with the date on which this consent is granted.  
Reason: To comply with Section 18 of the Planning Listed Building and Conservation Areas Act 1990 as amended.

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 2 April 2019 (dwg nos. 0259\_REG\_EX\_1.0; 0259\_REG\_PL\_2.0 rev A; 0259\_REG\_PL\_2.1 rev A; 0259\_REG\_EX\_3.0 & 0259\_REG\_PL\_3.0) as modified by other conditions of this consent.  
Reason: In order to ensure compliance with the approved drawings.