

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

19th September 2024

Application No:	SMD/2024/0249	
Location	33 Cruso Street, Leek, ST13 8BJ	
Proposal	Change of use from C3 residential property of 5 bedrooms to a large dwellinghouse in multiple occupation for up to 7 people.	
Applicant	Dr Mark Page, Parrott & Page Ltd	
Agent	None.	
Parish/ward	Leek	Date registered: 22.05.2024
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee as it is locally controversial with several letters of objection from local residents received.

1. SUMMARY OF RECOMMENDATION

APPROVE with Conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is within the Development Boundary of Leek and is a short distance to the west of the town centre in primarily a residential area characterised by large numbers of Victorian red-brick terraced houses. The site comprises an end-of-terrace dwelling occupying the corner of John Street to the south and Cruso Street to the west and the main entrance into the house is off this street, although the adjoining row of terraced houses faces John Street. There is another row of terraced houses on the opposite side of John Street and also to the north and south of the site which face Cruso Street. To the other side of Cruso Street to the west is a children's play area and Victoria Court, a small modern cul-de-sac housing estate. The house on site has five bedrooms, with three on the first floor and two within the roofspace above. Within the site there is a small rear yard area with a side boundary alongside Cruso Street. To the rear of the site is an alleyway running along the backs of the John Street terraced properties and connects onto Cruso Street. The site is not in the Leek Conservation Area.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application to change the five-bedroom house into a 7 (seven) x single-occupancy bedroom House in Multiple Occupation (HMO). There would be no external alterations or any internal reconfiguration and the only changes would be the use of the two front reception rooms on the ground floor as bedrooms (there are five further bedrooms on the upper floors which would remain as bedrooms). There is a dining room and kitchen in rear part of the ground floor which would be retained as communal living/kitchen space. A covering letter has been submitted with the application with gives further details, including the following:

“Although off-street parking is not present at this property, off-street, secure bicycle storage is proposed as part of this application for 4 bicycles, together with secure, off-street refuse and recycling storage facilities.”

3.2 Regarding bin storage, a separate email was submitted from the applicant which states: *“The bins are currently stored on the pavement near to the garden boundary. The proposed bin store would be within the garden of the property where there will be a secure space for recycling and black bin waste.”*

3.3 The application files including the drawings, report and other details of the proposal together with consultation and notification responses can be viewed on the Council website at: <http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet>

4. RELEVANT PLANNING HISTORY

4.1 None.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS5 Leek Area Strategy
- H1 New Housing
- DC1 Design Considerations
- T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 12: Achieving Well Designed and Beautiful Places

6. CONSULTATIONS

6.1 A site notice was posted and displayed on Cruso Street adjacent to the site on 2.7.24 inviting comments within 21 days from the date it was posted. Letters were also sent out to adjacent residential properties shortly after the new application was received and 21 days was given for comments in response.

Public response to consultation

6.2 Seven letters of objection have been received from local residents and the following points have been raised:

- There is existing parking congestion and the proposal would make this worse, to the detriment of highway safety
- The HMO would be out of keeping with the area which comprises a children’s play area, family homes and homes for the elderly
- There are two other HMOs in the area and another would lead to further anti-social

- behaviour problems
- The loss of a family home which are in demand in the area
- House values in the area will be affected

6.3 A petition against the proposal was received with 35 signatures from residents of John Street, Cruso Street and Victoria Court. This had a covering letter re-iterating the parking and highway safety concerns.

Leek Town Council

6.4 No objection to the application, but concerns raised by residents about parking should be addressed in the decision making, otherwise the application could be deemed un-neighbourly.

SCC Highways Authority

6.5 Recommendation Summary: Conditional

Site Visit Conducted on: 27-Jun-2024

NOTES TO PLANNING OFFICER

Site is an existing large dwelling in a residential area of predominantly terraced type dwellings. There is no existing off street parking available or proposed. The site is approximately 400m from Leek town centre, 600m from Morrisons supermarket, 800m from the bus station and 300m from the nearest bus stop. Cycle parking is proposed. Site is in a sustainable location. Proposal will not have a severe effect on the highway.

SMDC Environmental Health

6.6 No objection subject to conditions relating to the “construction phase”, artificial lighting and bin storage. The following general comments were also provided:

- *Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>*
- *Noise Transfer between units is addressed under Building regulations Resistance to sound: Approved Document E <https://www.gov.uk/government/publications/resistance-to-sound-approved-document-e>*
- *Housing standards – the proposed HMO will be subject to housing inspections if granted permission and will require a licence*

SMDC Waste Collection Service

6.7 No issues regarding waste collections.

7. OFFICER COMMENT AND PLANNING BALANCE

Introduction

7.1 The main issues with the proposal are as follows:

- The principle of the proposal.
- The impact on the character and appearance of the area
- The impact on the residential amenities of the area.
- The impact on highway safety.

The principle of the proposal

7.2 The Leek Area Strategy, Policy SS5 of the Local Plan, aims to consolidate the role of Leek as the principal service centre and a market town and support its regeneration and states that this will be achieved by, inter alia, continuing to meet the housing and community needs of Leek and its rural hinterland by, inter alia, “increasing the range of available and affordable house types, including for first time buyers and older people.”

7.3 Policy H1 states that new housing should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies.

7.4 The government planning guidance, the NPPF, states with regard to housing in para 63, “within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.”

7.5 The proposal looks to create a 7-person shared House in Multiple Occupation (HMO) in a standard 5-bedroom house. This type of accommodation is largely suited to large groups of friends who want to live together and also typically occupied by students in house-shares, not least as this is an affordable option. The surrounding area is dominated by houses suitable for families, couples or single persons. There is large number of 3-bed dwellings. A search of the Planning History did not reveal the presence of any approvals for HMO's on Cruso Street or John Street. It is considered that the addition of an HMO in this location would be in line with the aims of the above planning policies in creating a mix of house types and tenures to suit all different types and groups of people. The loss of a standard family size dwelling is not considered to significantly harm the overall supply of such housing in the area given the large number of such houses in the area already.

7.6 There are no planning policies which restrict the number of HMO's anywhere in the District. The proposal is in line with the above policies and there is no conflict with any of the other planning policies. It is therefore considered the principle of the proposal is acceptable.

The impact on the character and amenities of the area.

7.7 There would be no impact on the character and appearance of the area as there would be no physical external changes anywhere at the site and with the only notable change on the drawings being the use of two ground floor reception rooms as bedrooms. The proposal would comply with Policy DC1 of the Local Plan in this respect.

The impact on residential amenity

7.8 The use of a 5-bed house as a 7-bed HMO, would not give rise to any potential increase

in noise and disturbance affecting adjacent residents. The Environmental Health Section does not object to the application. Noise and disturbance can easily arise from a large family with several children which could be accommodated at the house without the requirement of a planning application. The proposed seven bedrooms are intended to be single-occupancy and a condition can be added to restrict the actual number of occupants of the HMO to seven in order to restrict the impacts of the new use on the surrounding area.

7.9 In terms of the residential amenities or living conditions of the future occupants of the HMO, the rooms are intended to be single occupancy and the sizes of all of the bedrooms would meet the width and overall area thresholds for single bedrooms set out in the government's Nationally Described Space Standards (NDSS). In fact, some of the rooms would meet the standards for double bedrooms. There would be shared communal living and kitchen areas and there is also private outdoor space to the rear.

7.10 The proposal would not harm the residential amenities of the area and therefore complied with Policy DC1 in this respect.

The impact on highway safety.

7.11 All of the objection letters received from local residents raised parking congestion and the associated impacts on highway safety as a main concern. Although there may be current congestion as expected in high density residential areas such as terraced streets, it is not considered the use of a standard 5-bed house as a 7-bed single-occupancy per room HMO would lead to a significant increase in the number of vehicle movements in the area. A large family living in a 5-bed house could have three cars. HMOs are typically occupied by students or groups of friends and is not expected that all occupants will have a vehicle. The site is in a very sustainable location close to a town centre, large supermarket and regular public transport and so there is no great reliance on car travel. The local highways authority does not object to the application. It is not considered the proposal would lead to a significant increase in vehicle movements in the area that would lead to detriment to highway safety in compliance with policies DC1 and T1 of the Local Plan.

Other Matters

7.12 The objection letters raise other points in addition to the highway safety/parking concerns. One letter raised the issue of anti-social behaviour. This is not a material planning consideration and in any case, there is no evidence that HMO's would exacerbate such problems in the area. The impact on house values is also not a material planning consideration and again there is no evidence that such impacts would occur as a result of nearby HMO's.

7.13 The Environmental Health Section recommends conditions which seek to minimise impacts on the amenities of the area during the construction phase. However, this is solely a change of use application with no proposed works and therefore it is not necessary to apply such conditions. Another condition requests details of all artificial lighting. However, there does not appear to be a need for additional lighting arising from a HMO than a standard family home and therefore it is also considered that such a condition is unnecessary. Another condition requests details of bin storage. However, it is not clear that the use of the site as a 7-bed HMO would lead to any further waste issues to the detriment of the area in relation to a 5-bed family home. The Waste Collection Service do not consider there are any waste issues with the proposed HMO. An informative will be added to ensure suitable areas in the rear yard should be used for this purpose.

Conclusion and Planning Balance

7.14 The proposal is acceptable in principle in that it would add to the mix of housing in the area in line with housing policies of both the Local Plan and NPPF. It would also not lead to any harms to the visual or residential amenities of the area and would not lead to any detriment to highway safety. Overall, it would comply with the Council's Local Plan and the NPPF and therefore the application is recommended for approval with a condition to restrict the total number of occupants to seven.

8. RECOMMENDATION

A. That planning permission be granted subject to the following conditions:

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

Reason:-

To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby approved shall be provided in complete accordance with the submitted plans and specifications as follows:-

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Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. No more than 7 single bedrooms shall be provided in the building hereby permitted as shown on Drawing 105. The bedrooms shall be occupied solely by one person and shall not be used by any other persons as their sole or main residence

Reason:-

In the interests of protecting the character and amenities of the area and highway safety

4. Prior to the commencement of the use, the secure cycle storage shown on page 4 of the covering letter included in the planning application shall be provided within the application site and shall be retained unobstructed as cycle storage for the lifetime of the development.

Reason:-

In the interests of sustainable travel.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

