

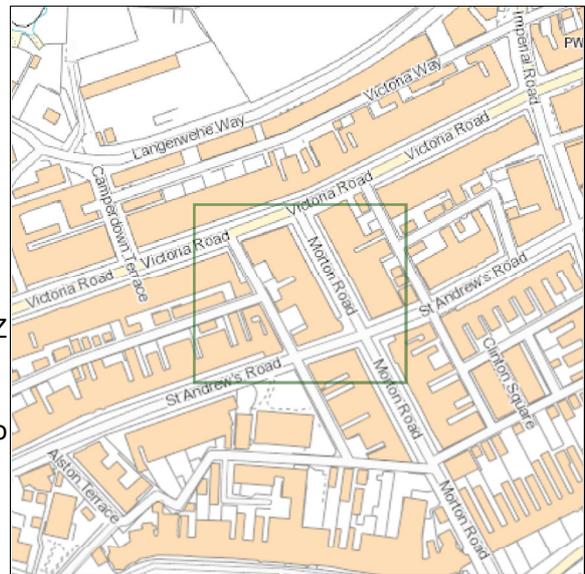
Ward Exmouth Town

Reference 19/0203/FUL

Applicant Mr J Garrett

Location St Saviours 12 Morton Road Exmouth EX8 1AZ

Proposal Change of use of building from nursing home to 19 bed house of multiple occupation (large HMO)



RECOMMENDATION:

1. That the application be **APPROVED** subject to conditions;
2. That the habitat Regulations Appropriate Assessment forming part of the report be adopted.



		Committee Date: 3rd September 2019
Exmouth Town (Exmouth)	19/0203/FUL	Target Date: 19.04.2019
Applicant:	Mr J Garrett	
Location:	St Saviours 12 Morton Road	
Proposal:	Change of use of building from nursing home to 19 bed house of multiple occupation (large HMO)	

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- 2. That the habitat Regulations Appropriate Assessment forming part of the report be adopted.**

EXECUTIVE SUMMARY

The application is before members because the officer recommendation is contrary to the view of a ward councillor and the Town Council.

This application seeks planning permission to change the use of the building from a nursing home to a 19 bedroom house of multiple occupation.

No's 12-14 Morton Road are sizeable properties which have a history of multiple occupancy having historically been used as a guest house and latterly as a residential nursing home. The site occupies a highly sustainable location with good access to services, facilities and public transport available within Exmouth town centre. In addition, the proposal would provide a number of small, relatively low cost 1 bedroom accommodation for which there is a need in Exmouth which weighs in favour of the application.

Whilst concerns about the introduction of a 19 bedroom HMO into the two buildings would have on the character and appearance of the area and residential amenity are acknowledged and understood, Morton Road and the surrounding area is characterised by a variety of multiple occupancy uses which include flats, guest houses and hotels such that it isn't considered that an objection could be sustained on the grounds that the proposed HMO would give rise to significant harm to the character and appearance of the area or amenity of nearby residents. No external alterations or extensions are proposed to the buildings such that the impacts on the streetscene would be negligible.

Concerns about the impact on residential amenity of adjoining occupiers is noted and it is accepted that because the properties are mid-terraced that intensifying the use of the building may have an increased impact on residential amenity in terms of the potential for noise and disturbance and increased activity given the size and scale of the HMO with its 19 bedrooms. However no objections have been received from the Council's Environmental Health Officer and concerns about anti-social behaviour are generalised and can be dealt with through separate environmental health legislation or through the police.

The proposal would make provision for 4 off road car parking spaces which would be a betterment over the fact that the existing site has no parking provision and could therefore ease parking and congestion problems in the area. The site is in a highly sustainable location of the site in close proximity to the town centre which means that the requirement for off street parking within the development can be relaxed. The proposal makes provision for secure cycle storage which would encourage more sustainable modes of travel.

Having regard for the previous uses of the buildings and the fact that the area is characterised by multiple occupancy uses, it is considered that the proposed HMO would not have a significantly harmful impact on the character and appearance of the area, the residential amenities of the occupiers of surrounding properties or on highway safety and parking to sustain an objection. On balance, the proposal is considered to be acceptable and is therefore recommended for approval subject to conditions.

CONSULTATIONS

Local Consultations

Exmouth Town - Eileen Wragg

I met with a concerned property owner this morning, who works in the Middle East and who didn't arrive in the UK until the weekend, so was unaware of his objection until last week. Having carefully listened to him and other neighbours, there are issues which may not have been considered. So that these can be raised, I am requesting as one of the Ward Members that the application goes to the DMC, in order that further consideration can be given by Members and Officers. I currently have an open mind and have not predetermined any decision, for or against, but would like all information to be heard by the Committee.

I object to Planning app. 19/0203/FUL for the following reasons.

To have nineteen households in two properties would have an adverse effect on other properties in the area, and would be over-intensification of the site. Of the properties next door to 12 and 14, one is three flats housing a total of five people, the other with two, according to the Electoral Register.

Bin storage would be problematic in such a densely populated area.

A guest house at 1 Morton Road was given permission for a HIMO several years ago, and there have been many incidents of antisocial activities which have resulted in

police being called. I have been told by the proprietors of a hotel and guest house of some of the problems that they and their guests have encountered, which has harmed the businesses. They are so concerned by this application, that one has said that she would close her guest house. Harm to tourism must be resisted and policy EEN 1 in the Exmouth Neighbourhood Plan refers to applications which would be detrimental to tourism, the importance of which is emphasised in the Local Plan.

Also, significant investment has been made on Exmouth Seafront, which will increase visitor numbers, and already finding holiday accommodation in the town is proving difficult, and I can give examples of this, one of which I was told about only yesterday. The application site is adjacent to the Principal Holiday Accommodation Area and Conservation Area.

Although access to public transport is available, it is inevitable that some residents will have vehicles adding to the considerable congestion, where double yellow lines have been removed, allowing single file traffic flows only.

I tended to agree with the Officers' proposed recommendation to allow, but having listened to residents and business owners today, I request that the application goes to DMC, where the objectors could have the opportunity to be listened to.

Re. the objection I have just submitted, I reserve the right to change my opinion, until I am in possession of all the information available.

Parish/Town Council

16/05/19 - The Town Planning Committee discussed the amended plans for the above application. Please could you note that the Committee had no objection to the amended plans, we regret that we were unable to submit our comment online.

Further comments

25/06/19 - Meeting 24.06.19

No objection to the amended plans.

Further comments

06/03/19 - Meeting 04.03.19

Objection, concerned about the over occupation of a confined space. The application stated the provision of 22 individual rooms, however it was not clear if this could potentially mean 44 people could occupy the building. It was felt that clarification should be sort regarding the number of people the HMO would be licenced for. It was noted that Environmental Health had yet to comment. Members were concerned about the lack of parking provision. The emerging neighbourhood plan highlighted issues surrounding Town Centre parking in areas of high-density housing. Members also questioned if the premises were already used as an HMO and this was the reason for the application being submitted.

Technical Consultations

Environmental Health

13/03/19 - Private Sector Housing team are responsible for the licensing of Houses of Multiple Occupation and they have been separately consulted for this application.

I have considered the application and note that this site is close to nearby residents who may be impacted as external and internal alterations are made to the building. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum. This is available on the council's website: <http://eastdevon.gov.uk/noise/noise-guidance-and-advice/guidance-and-advice-for-developers-builders-and-contractors/>

Further comments: 02/05/19

Private Sector Housing team are responsible for the licensing of Houses of Multiple Occupation and they have been separately consulted for this application.

I have considered the additional documentation provided and I have no further comments to make in addition those already attached to this application.

Further comments 17/06/19

Thank you for consulting Environmental Health. I can confirm that I have no further comments to make in addition to the comments already made for this application.

Environment Agency

15/03/19 - Environment Agency position

We have no objection to this planning application. The reasons for our position including comments on access/egress during a flood event are set out below.
Reasons - Flood Risk

The proposal is located within the coastal Flood Zone 3, defined as having a high probability of flooding. The Design & Access statement and Flood Risk Assessment submitted with the application confirms that the proposal is presently at risk of flooding and that the expected flood depths will increase over the lifetime of development however the development will not increase the existing footprint.

The design flood level (i.e. the 1-in-200-year event in 100 years' time allowing for climate change) in this part of Exmouth is 4.69mAOD. For the development to be appropriate ground floor levels should be set at a minimum of 4.99mAOD.

Advice - Flood Risk

Paragraph 7-038 of the Planning Practice Guidance (PPG) and paragraph 160 of the NPPF are clear that access and egress needs to be part of the consideration of whether new development will be safe. Paragraph Reference ID: 7-039-20140306 of the PPG provides further guidance. Therefore, you should consult internally with your Emergency Planners to determine their views on safe refuge as an alternative to safe access and egress. They should also confirm whether they can incorporate the additional occupants into their emergency evacuation plans.

Further comments: 07/05/19 - Thank you for consulting us on this application.

Environment Agency position

We have no objection to this planning application.

Reason: We have reviewed the additional information submitted on the East Devon planning website but it does not affect our previous response DC/2019/120421/01-L01 (dated 15 March 2019). Our previous reply still applies.

Private Sector Housing (EDDC)

10/05/19 - see scanned letter (10/05/2019) under associated documents

19/0203/FUL - St Saviours 12 & 14 Morton Road Exmouth

PSH Reply to email response dated 25/04/19

Point 1a No comment as Planning Application 16/2258/MFUL superseded

Point 1b The Devon Wide Guidance on space & amenity Standards dated February 2009 has been updated in line with current legislation. As indicated below

Space Standards

Bedrooms, sitting rooms, and bed sitting rooms must be of an adequate floor area for the number of occupants in accordance with the following:

**Bedroom
Minimum size**

Single bedroom

(There must be a communal living area to stated size)

6.51m²

Single bedroom with cooking facilities

(There must be a communal living area to stated size)

10 m²

Single bedsitting room

(No communal living area but communal kitchen)**

10 m²

Single bedsitting room with cooking facilities

(No communal living area)

13 m²

Single bedroom for a child under 10 years old

(There must be a communal living area to stated size)

4.64 m²

Double bedroom

(There must be a communal living area to stated size)

10.22 m²

Double bedroom with cooking facilities

(There must be a communal living area to stated size)

15 m²

Double bedsitting room

(No communal living area but communal kitchen)**

15 m²

Double bedsitting room with cooking facilities
(No communal living area)

20 m²

** see note 5

Notes

1: Where the ceiling height is less than 1.5m e.g. in a converted attic room, the floor area with headroom less than 1.5m will be disregarded.

2: The minimum width of a bedroom should be wide enough to allow a standard size single bed with enough space to walk around it with ease.

3: The floor area of any en-suite WC/shower/bath facility will be discounted when measuring the floor area of the room.

4: Children under 12 months old are discounted for the purposes of the space standards set out above.

5: Where there is judged to be inadequate communal space for sitting/dining purposes, sleeping rooms will be regarded as bedsitting rooms rather than bedrooms and the appropriate space standards will be applied.

6: If the communal room is a combined kitchen/sitting or kitchen/dining room, consideration will be given to the proportion of practicable useable space. No communal room must be accessed through a bedroom.

7: No persons over the age of ten (10) years, and of opposite sexes, shall be allowed share the same room, unless they are living as husband and wife, partners, or co-habitees.

Reasonable sound and fire insulation must be afforded between bedrooms, bedrooms and living rooms. Glazing and doors providing secondary access must be suitably insulated or replace with fixed plastered stud work where appropriate.

Lounge/ Living area

For 5 or fewer occupants

8 m²

For every occupant over 5 people

1.5 m²

6 occupants

9.5 m²

7 occupants

11 m²

8 occupants

12.5 m²

9 occupants
14 m²
10 occupants
15.5 m²

Kitchens

Where kitchens are shared they should not be more than one floor distance away from any user (unless a dining area is provided), and have the following facilities (for every 5 persons):

Kitchen

Up to 5 persons
7 m²
6-10 persons
10 m²
11-15 persons
13 m²
16-20 persons
Each additional 5 people
16 m²
add 3m²

Amenity Standards

WCs

Each WC compartment must:

- Have adequate ventilation and artificial lighting
- Be provided with a wash hand basin (with hot and cold water supplies), and adequate drainage and splash back tiling and
- Have a smooth impervious floor covering, and be of adequate size/layout, with facilities fit for the purpose.

N.B: Persons having access to en-suite facilities will not be counted for the purposes of these ratios. Also a WC must not be more than two floors distance away from any occupier.

Outside toilets are disregarded for the purposes of this standard.

WCs

1-4 persons
1WC (permitted within a bathroom)
5 persons
1 WC (separate from the bathroom)
6-10 persons
2 WCs (permitted within bathrooms)
11-15 persons
3 WCs (permitted within bathrooms)
16-20 persons
Each additional 5 people
4 WCs (permitted within bathrooms)

Add 1 more WC

Bathrooms

A bath/shower (with hot and cold water and waste drainage) must be provided in a suitable room, not more than two floors distant from any occupier. A bath or shower room may contain a WC where there are 5 persons sharing, provided there is also a separate WC.

Each bath or shower room must:

- Have a separate wash hand basin
- Have adequate ventilation, electric lighting and fixed heating
- Have a smooth impervious floor covering
- Have sufficient splash back tiling to each bath or shower area
- Be of an adequate size/layout with facilities fit for the purpose

Bath and shower rooms

1-4 persons

1 bath or shower room

5 persons

1 bath or shower room with 1 WC separate from the bathroom

6-10 persons

2 bath or shower rooms

11-15 persons

3 bath or shower rooms

16-20 persons

Each additional 5 people

4 bath or shower rooms

Add a bath or shower room

Point 2. Room sizes as above.

With regard to the fire precautions for the property, these should be met by Building Regulations and would also be covered by the Fire Risk Assessment for the property and will be required regardless of whether the House in Multiple Occupation is licenced or not.

Point 3. No comment regarding the impact of the rear dormer, however concerns regarding the lack of ventilation and natural light on the wellbeing of occupants of bedsitting rooms relying on roof lights for natural lighting.

Point 4a. Adequate provision for the storage of refuse to be provided as specified by planning and a requirement for HMO Licencing

Point 4b. No comment as off street parking provision a planning and/or highways requirement

Other Representations

6 letters of objection have been received at the time of writing this report raising concerns which can be summarised as:

- Over intensification of the site with too many people living in the HMO

- Parking and congestion
- Noise and disturbance
- Work has already started without planning permission.
- Loss of privacy
- Loss of light
- Anti-social behaviour from residents
- Loss of value to properties
- Negative impacts on the character and appearance of the area
- Increase in vandalism

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies
Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

EN21 (River and Coastal Flooding)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Exmouth Neighbourhood Plan (Made)

Government Planning Documents
NPPF (National Planning Policy Framework 2019)
National Planning Practice Guidance

Site Location and Description:

The site refers to no's 12-14 Morton Road, mid-terraced 3 storey properties previously in use as a residential nursing home (with 18 bedrooms) which has ceased operating from the site. The site is located within the built-up area boundary of Exmouth and no landscape or townscape designations apply. The site falls within an area designated as flood zone 2.

Planning History

Planning permission was granted in 2017 (ref 16/2258/MFUL) for the change of use of Nursing Home to 10 no. residential apartments, including the construction of rear extensions. This planning permission could generate up-to 35 occupants in the 10 flats comprising 4 one-bed and 4 two-bed and 2 three-bed flats.

Proposed Development

Following receipt of amended plans, this application seeks planning permission to change the use of the two properties to a 19 bedroom House in Multiple Occupation. The HMO would be laid out across the ground, first and second floors of the building, providing individual bedrooms with communal kitchens, lounge and bathrooms on each floor. Four car parking spaces would be provided at the rear of the property.

Issues and Assessment

The main issues to consider in the determination of this application relate to the principle of the proposed development, the impact on the character and appearance of the area, the impact on the residential amenities of the occupiers of surrounding properties, flood risk and the impact on parking and highway safety

Principle

The site lies within the built up area boundary of Exmouth close to essential services and infrastructure required for daily living. Strategy 6 (Development within Built-Up Area Boundaries) of the East Devon Local Plan states that settlements with BUAB's are considered to be appropriate through strategic policy to accommodate growth and development. The policy states within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings

Comment: The area is defined by a variety of dwellings in single family occupancy, properties which have been sub-divided into a number of flats, guest houses and hotels such that multiple occupancy of buildings is already prevalent. The comings and goings and levels of activity associated with multiple occupancy already characterise Morton Road and other streets in the area. Whilst the introduction of a 19 bedroom HMO into the building would have a degree of impact on the character and appearance of the area as a result of the intensive use of the building and activity associated with its use, it isn't considered that its impact would be significantly harmful to or out of character with the multiple occupancy properties, guest houses and hotels within the high density urban environment within which the site is located that would be significantly harmful or detrimental to the character and appearance of the area.

No external changes are proposed to the front of the building which is of a substantial size and footprint that could readily accommodate the proposed 19 bedroom HMO over the three floors of the two properties. External changes are proposed to the rear which include removing the unsightly blocked up garages which back onto the rear service lane. The submitted site plan demonstrates that there is sufficient space within the site for the provision of bins, the majority of which would be positioned out of sight within the rear courtyard.

2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.

Comment: The proposed HMO would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion. Flood risk is considered further on within this report.

3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.

Comment: Not applicable.

4. It would not involve the loss of land of local amenity importance or of recreational value:

Comment: Not applicable.

5. It would not impair highway safety or traffic flows.

Comment: See later section on parking and highway safety

6. It would not prejudice the development potential of an adjacent site.

Comment: Not applicable.

In summary the change of use of the premises from a former nursing home to a HMO is considered to be acceptable in principle providing the impacts of the proposal are acceptable in relation to other policies contained in the development plan together with any other relevant material considerations. The site is considered to be in a highly sustainable location with good access to the town centre, everyday services and public transport. There is a known need for one bedroom units of accommodation within Exmouth which this proposal would help to meet by contributing to the range and mix of housing available within the town.

Therefore, in principle the proposal is considered to be acceptable.

Residential Amenity

Converting or sub-dividing a building into an HMO often results in more people living in the property and increases the potential for greater noise levels, particularly given the socio- economic characteristics of most occupants in HMO accommodation. It is accepted that there is a potential for noise disturbance within HMO's where occupants do not live as a single family and are therefore likely to have different lifestyles and enjoy different activities at different periods of the day.

A number of concerns have been raised about the impact the use of the building as an HMO would have on the amenity of the occupiers of surrounding properties in respect of increased levels of activity, noise and disturbance. It is noted that conversion of the building into a 19 bedroom HMO is an intensive use of the building which would have a degree of impact on the locality. However, the building has never been in use as a single dwelling and has historically been used more intensively than a domestic dwelling through its use as an 18-bed nursing home that would have houses at least 18 residents with additional activity generated by staff and visitors. In addition with the exception of one communal area at ground floor, the layout of the HMO has been designed so that kitchens and communal areas which are considered to be the main generators of noise are not against the walls of adjoining properties.

In addition, planning permission was granted in 2017 for the conversion of the building into 10 flats, an intensive use of the building which could generate occupation by 35 residents within the building at any one time. The proposed 19 bedroom HMO would generate less occupancy housing, up-to 27 people using the HMO standards, such that it would actually represent a less intensive use of the building than the approved 10 flats, and not significantly different to the 18 bedroom Nursing Home. On this basis, it isn't considered that an objection could be sustained on the grounds of the impact of the use on the residential amenities of the occupiers of surrounding properties would be significantly more harmful than previous consented uses.

Amended plans have been received following concerns from the Council's Private Sector Housing Team who would be responsible for issuing a licence for the HMO. These concerns were in relation to standards of amenity as a result of room sizes, lack of outlook and ventilation. The amended plans have reduced the proposal down to 19 individual rooms with adequately sized communal living areas, shared kitchens and bathrooms.

Concerns raised by local residents in relation to noise and anti-social behaviour from occupiers of the HMO are noted however it is not considered that an objection could be sustained on these grounds. This is a generalisation on the type of occupier and there is no tangible evidence to suggest that occupiers of the HMO would give rise to noise or amenity concerns. Furthermore, it could be argued that introducing an HMO into a property gives landlords more control over occupiers through a management regime which has been suggested by the applicant. In addition, the HMO would be licensable by the District Council Private Sector Housing Team. Any noise or anti-social behaviour issues can be dealt with through Environmental Health legislation or through the police.

Parking and Highway Safety

As existing there is no dedicated parking with the premises, the former garages to the rear of the premises have been filled in. It is proposed to create 4 no. parking spaces at the rear of the properties. Representations have been received regarding the potential for increased occupancy of the building and as a consequence increased vehicles associated with the site in an area that is at capacity in terms of on street parking.

The size of HMO proposed would usually generate a requirement for off road parking spaces, however, in urban areas where there is on street parking available and easy walking access to public car parks and public transport this number can be reduced. In accordance with Highways Standing Advice it is considered that the proposed level of off street parking would be acceptable, particularly given the lack of parking associated with the former nursing home and 4 spaces for the 10 flats.

Occupants will be able to rely on public transport and this is where the benefits of the location of the HMO are realised where it is well served by a range of services including shopping and leisure uses within the town centre which should reduce the pressure for on street parking created through this proposal. The proposal makes provision for 4 off road car parking spaces at the rear of the property which would be a betterment

over the current offer of no car parking spaces as well as secure cycle storage which should encourage occupiers to use alternative modes of transport.

Blocking of access along the main highway for emergency services would be a police matter and cannot be dealt with through the planning system.

Having regard for the sustainable location of the site and the fact that the proposal makes provision for some car parking spaces and cycle storage which can be secured through imposition of a condition, it isn't considered that an objection could be sustained on the grounds of lack of off street parking provision or highway safety. The proposal is therefore considered to comply with the provisions of policies TC2 (Accessibility of New Development), TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the East Devon Local Plan.

Flood Risk

The proposal is located within the coastal Flood Zone 3, defined as having a high probability of flooding. The Design & Access statement and Flood Risk Assessment submitted with the application confirms that the proposal is presently at risk of flooding and that the expected flood depths will increase over the lifetime of development however the development will not increase the existing footprint.

The site lies in flood zone 3 where residential development is usually resisted in favour of development on land in a less vulnerable position of flooding i.e. flood zone 1. However, the building is already in a C2 residential use and prior to that in a C3 residential use and therefore no objections can be formed for the proposed use of the building as an HMO. Although works can be done to the building to increase its resilience in the event of a flood and to ensure that proper evacuation procedures are in place in the event of a flood. These have been recommended by the Environment Agency and will be the subject of a condition.

Habitats Regulation Assessment and Appropriate Assessment

The nature of this application and its location close to the Exe Estuary and Pebblebed Heaths and their European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. This section of the report forms the Appropriate Assessment required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Exe Estuary and Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations. This development will be CIL liable and the financial contribution has been secured. On this basis, and as the joint authorities are working in partnership to

deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

CONCLUSION

No's 12-14 Morton Road are sizeable properties which have a history of multiple occupancy having historically been used as a guest house and latterly as a residential nursing home. The site occupies a highly sustainable location with good access to services, facilities and public transport available within Exmouth town centre. In addition, the proposal would provide a number of small, relatively low cost 1 bedroom accommodation for which there is a need in Exmouth which weighs in favour of the application.

Whilst concerns about the introduction of a 19 bedroom HMO into the two buildings would have on the character and appearance of the area and residential amenity are acknowledged and understood, Morton Road and the surrounding area is characterised by a variety of multiple occupancy uses which include flats, guest houses and hotels such that it isn't considered that an objection could readily be sustained on the grounds that the proposed HMO would give rise to significant harm to the character and appearance of the area. No external alterations or extensions are proposed to the buildings such that the impacts on the streetscene would be negligible.

Concerns about the impact on residential amenity of adjoining occupiers is noted and it is accepted that because the properties are mid-terraced that intensifying the use of the building may have an increased impact on residential amenity in terms of the potential for noise and disturbance and increased activity given the size and scale of the HMO with its 19 bedrooms. However no objections have been received from the Council's Environmental Health Officer and concerns about anti-social behaviour are generalised and can be dealt with through separate environmental health legislation or through the police.

The proposal would make provision for 4 off road car parking spaces which would be a betterment over the fact that the existing site has no parking provision and could therefore ease parking and congestion problems in the area. The site is in a highly sustainable location of the site in close proximity to the town centre which means that the requirement for off street parking within the development can be relaxed. The proposal makes provision for secure cycle storage which would encourage more sustainable modes of travel.

Having regard for the previous uses of the buildings and the fact that the area is characterised by multiple occupancy uses, it is considered that the proposed HMO would not have a significantly harmful impact on the character and appearance of the area, the residential amenities of the occupiers of surrounding properties or on highway safety and parking to sustain an objection. On balance, the proposal is considered to be acceptable and is therefore recommended for approval subject to conditions.

RECOMMENDATIONS:

1. **That the habitat Regulations Appropriate Assessment forming part of the report be adopted.**
2. **That the application be APPROVED 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 and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
 3. No development approved by this permission shall be commenced on the ground floor until a scheme to minimise flood damage to the proposed development by utilising flood resilient construction techniques to an appropriate level has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details.
(Reason: To minimise the damage to the building from flood events in accordance with Policy EN21 (River and Coastal Flooding) of the East Devon Local Plan and advice contained in the National Planning Policy Framework).
 4. No development approved by this permission shall be brought into use until a flood warning and evacuation procedure has been submitted to and agreed in writing by the Local Planning Authority. The approved warning and evacuation procedure shall be adhered to at all times.
(Reason: To minimise risks to users of the building during times of flood in accordance with Policy EN21 (River and Coastal Flooding) of the East Devon Local Plan and advice contained in the National Planning Policy Framework).
 5. Prior to first occupation of the HMO hereby approved, the car parking spaces, bin stores and secure cycle storage shall be provided in accordance with the details shown on drawing no 7876-03 REV E. These areas shall thereafter be retained for these uses in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
(Reason: To ensure that adequate facilities are provided for future occupiers of the building in the interests of amenity in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031).

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

7876-LPA	Location Plan	19.02.19
7876-03 Rev E	Proposed Floor Plans	06.08.19
7876-04 Rev A	Proposed Elevation	12.06.19

List of Background Papers

Application file, consultations and policy documents referred to in the report.