



Planning Committee

Application Address	27 Wolverton Road, Bournemouth, BH7 6HU
Proposal	Change of use of dwellinghouse (Class C3) into House in Multiple Occupation (Class C4)
Application Number	7-2024-9356-C
Applicant	West Property Ltd
Agent	West Property Ltd
Ward and Ward Members	Boscombe East & Pokesdown Cllr Eleanor Connolly Cllr George Farquhar
Report Status	Public
Meeting Date	20 March 2025
Summary of Recommendation	Grant in accordance with the details set out below for the reasons as set out in the report
Reason for Referral to Planning Committee	28 Objection Letters
Case Officer	Laura Sims
Is the proposal EIA Development?	No

Description of Proposal

1. Planning consent is sought for a change of use existing (Class C3) residential dwelling to a (Class C4) House in Multiple Occupation (HMO) for 6 persons.
2. The application does not include any external alterations. The applicant would provide en-suite facilities to all bedrooms and provide two communal living rooms and kitchens.

3. The applicant has served notice under Certificate B during the application process as the rear access pathway to the highway is in varied ownership.

Description of Site and Surroundings

4. Wolverton Drive is located within the Boscombe East and Pokesdown Ward of Bournemouth. The application site is set on the corner of Wolverton Road and Langton Road and is a detached two storey dwelling facing northeast onto Wolverton Road. To the rear is a garden, a garage to the western boundary has been demolished and allows for one off road parking space. The host property has a large flat roof wrap-around-dormer to the western and southern elevation.
5. Properties within the near vicinity of the site are detached or semi-detached dwellings which are predominantly single family dwellinghouses.

Relevant Planning History

6. 7-2020-9356-B – Application for a Lawful Development Certificate for proposed alterations to elevations to replace windows, form French doors and Juliet Balcony, roof extension to dwellinghouse to form new 2nd floor level with roof lights, formation of parking spaces and erection of a cycle store – Refused
7. 7-2020-9356-A – Alterations, roof extension to form new 2nd floor level and change of use of dwellinghouse (Class C3) into House in Multiple Occupation (Class C4) – Withdrawn

Constraints

8. There are no specific constraints.

Public Sector Equalities Duty

9. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

10. In accordance with regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitat Regulations), for the purposes of this application, appropriate regard has been had to the relevant Directives (as defined in the Habitats Regulations) in so far as they may be affected by the determination.
11. With regard to sections 28G and 28I (where relevant) of the Wildlife and Countryside Act 1981, to the extent consistent with the proper exercise of the function of determining this application and that this application is likely to affect the flora, fauna or geological or physiographical features by reason of which a site is of special scientific interest, the duty to take reasonable steps to further the conservation and

enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

12. For the purposes of section 40 Natural Environment and Rural Communities Act 2006, in assessing this application, consideration has been given as to any appropriate action to further the “general biodiversity objective”.
13. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.
14. For the purposes of this report regard has been had to the Human Rights Act 1998, the Human Rights Convention and relevant related issues of proportionality.

Consultations

15. **Highways** – No objection subject to conditions

The proposal involves converting the existing dwelling at 27 Wolverton Road, currently classified under C3 residential usage, into a House in Multiple Occupation (HMO). The site is located on Wolverton Road and is in zone A. Although no proposed plans have been submitted, the supporting statement indicates that the property provides two existing parking spaces, which exceeds the one parking space required for an HMO under the SPD.

Similarly, despite the lack of proposed plans, the supporting statement includes provision for secure storage for 6 bikes at the side of the property, meeting the SPD requirement of one cycle store per bed for HMOs.

The proposal meets the necessary requirements for parking and cycle storage based on the information provided in the supporting statement. As such, there are no objections to the development from the Local Highway Authority.

16. **Waste and recycling** – No objection

A House of Multiple Occupancy would be issued with a standard household location of 1 x 180 litre refuse bin, 1 x 240 litre recycling bin, and 1 x 23 litre food waste bin. Larger HMOs with 5 or more people living in them may also apply and pay for additional bins (1 x 180 litre refuse bin and 1 x 240 litre recycling bin and 1 x 23 litre food waste bin).

If the HMO generates more waste than the standard and the additional allowance, the landlord/managing agent must either arrange for the removal of the waste themselves, or pay a registered waste carrier to do so. The landlord would need a waste carrier's licence to remove the waste themselves, and pay for waste disposal at a licenced facility such as our household recycling centres.

An occupant of the proposed dwelling will need to ensure the bins are presented for collection at the kerbside and returned to the property boundary following emptying.

Representations

17. Site notices were posted in the vicinity of the site on the 11/12/2024 with an expiry date for consultation of 04/01/2025.

18. 33 letters of objections were received. 29 objections and 4 in support of the proposal. The summary of objection comments are as follows:

- Noise pollution to neighbouring properties
- Increase in traffic congestion
- Parking issues from increase in number of residents
- Increase in on-street parking causing limited emergency service access
- HMO will lead to anti-social behaviour
- Overcrowding and out of character to the area
- Overlooking towards neighbouring properties

Key Issues

19. The key issues involved with this proposal are:

- Principle of the HMO use
- Impact on character and appearance of the area
- Impact on neighbouring residents
- Parking/traffic/highway safety considerations
- Waste and recycling
- Living conditions for future occupants

20. These issues will be considered along with other matters relevant to this proposal below.

Policy context

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan for an area, except where material considerations indicate otherwise. The development plan in this case comprises the:

Bournemouth Local Plan: Core Strategy (2012)

CS16 – Parking Standards

CS18 – Increasing Opportunities for Cycling and Walking

CS24 – Houses of Multiple Occupation

CS41 – Quality Design

Supplementary Planning Documents

BCP Parking Standards SPD (2021)

Waste and Recycling Guidance

Dorset Heathlands Planning Framework SPD 2020

National Planning Policy Framework 2024

Section 12 – Achieving well-designed and beautiful places

Planning Assessment

Principle of the HMO use

22. A change of use is sought for the property from a residential dwellinghouse to a Class C4 HMO with proposed external alternations to the ground floor fenestration involve removing an existing garage door and replacing this with a proposed window of same design and stature to match the existing street scene frontage.
23. Planning permission would not normally be required for the change of use to C4. However, the Council made an Article 4 Direction on the 15th December 2010 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended. An 'Article 4 Direction' is a planning tool that can be used to remove permitted development rights from a particular type of development. The Direction relates to development consisting of a change of use of a building to a use falling within Class C4 (houses in multiple occupation), from a use falling within Class C3 (dwellinghouses) and removes permitted development rights for this type of development from when the Direction came into force on the 16th December 2011. Therefore, planning permission is required for the change of use from Class C3 to Class C4.
24. As the Council has issued an Article 4 Direction to prevent these types of development taking place without planning permission, consideration must be given to the reasons behind this. In introducing the Article 4 direction the Council considered that the concentration of HMO properties was causing tension to existing residents. Commonly, university and coastal towns experience higher rates of HMO uses and consequently higher rates of associated negative impacts on the amenities of local residents and on the character of the area. These tensions and issues are recognised nationally and can include anti-social behaviour; noise and nuisance from properties and on the street; imbalanced and unsustainable communities; negative impacts on the physical environment and streetscape; pressures on parking provision; untidy gardens; higher than average occurrence of to-let boards and the accumulation of rubbish. Even though high concentrations of HMOs are associated with specific wards, a Borough wide Article 4 Direction has been introduced in order to limit the likelihood of the impacts associated with concentrations of HMOs being dispersed to other parts of the town. A Borough wide approach therefore enables the Council to deal with problems associated with concentrations of HMOs in a timely fashion controlling the emergence of new concentrations of HMOs and limiting additional numbers in areas already impacted upon.
25. Policy CS24 of the Bournemouth Core Strategy refers to Houses in Multiple Occupation. Saved Policy 6.17 of the District Wide local Plan 2002 (DWLP) has not been engaged with this proposal as this is aimed at larger (Sui Generis) HMO uses. Policy CS24 states that the change in use of Class C3 to Class C4 will only be permitted where no more than 10% of dwellings in the area adjacent to the application property are within Use Class C4 or larger 'Sui Generis' HMO use. In light of this policy an assessment of the existing numbers of HMO uses has taken place, which involves using a data base of registered HMO uses, examining Council Tax exemptions for student housing, and other data, as well as a site visit to the area. This assessment determines if there are a high number of HMO uses in the locality. Assessing the proposal in line with the policy identifies 2 properties within 100m of the application site on the streets that form part of the policy requirement. The adjacent roads include:-

- Wolverton Road
- Langton Road
- Gladstone Road East.

26. In this particular case the area generally contains traditional family sized houses and is not within the catchment area typically associated with university students and HMO properties. Reference to available records and the HMO catchment map identifies that the number of known HMOs dwellings in the catchment area is 2 out of 117 properties and records show that no HMOs have been granted planning permission in the identified area, and therefore, the officer finds this proposal to be acceptable in principle and in accordance with policy CS24.

Impact on character and appearance of the area

27. There would be no changes to the exterior of the proposed site, the wrap-around dormer and removal of the garage was complete at time of the visit. The proposed use of as a C4 HMO would introduce a more intensive occupation with a more transient resident and potentially short-term occupants. However, in this location and as there is not an overconcentration the application is considered to safeguard the character and appearance of the area in accordance with CS24 and CS41 of the Core Strategy. As this is a C4 use and there is not an overconcentration the impact will be compatible with other residential properties in this location.

28. Some neighbouring dwellings have parking areas to the front of the dwellings, no changes are proposed to the existing off-road landscaping. Therefore, the officer finds the proposal to be acceptable and in line with the aims of Policy CS41.

Impact on neighbouring properties

29. No additional windows are proposed to the dwelling. The site visit confirmed that the existing windows facing Number 22 Langton Road at ground floor level are much smaller than standard windows and appear to be high level. There are two first floor windows one of which is obscured the other is clear.

30. There are no side elevation windows to Number 22 therefore any change of use to the rooms would not cause any harmful overlooking towards the neighbouring dwelling. There would also be no additional windows introduced to the rear elevation facing Number 25 Wolverton Road.

31. No adverse impacts would occur from the conversion of this building. Regarding Policy CS24 and its supporting text for HMO uses, an overconcentration of HMO uses within a locality can result in a cumulatively materially harmful degree in the view of the LPA if such would exceed 10%. In this case,

32. Within the 100m search area 117 dwellings were found with 2 being confirmed as HMOs this provides a local HMO saturation rate of 1.7%. When including the application site, this increases to 2.7% which is significantly lower than 10%.

33. It is therefore considered that the use of the property as a HMO would not in this case result in adverse HMO-associated activity / use concerns to a degree that would be detrimental to neighbouring properties.

Parking/traffic/highway safety considerations

34. The proposal has not provided any information or size specifications of the off road parking space however this is existing to the dwelling with a dropped kerb serving the area. The parking standards state that HMOs must provide one parking space, therefore the proposal is considered to comply with policy.
35. Cycle provision for 6 bikes is required for this application. The consultation response from the Local Authority Highway Officer deemed the principle of a 6 bike cycle store to be acceptable. Details will be secured via condition.
36. The car parking spaces and cycle storage area provided is in line with the policy requirements CS16, CS18 and BCP Parking Standards SPD (2021), which is considered acceptable.

Waste and Recycling

37. The proposed site would require 3 bins, 1 x 180 litre refuse bin, 1 x 240 litre recycling bin, and 1 x 23 litre food waste bin. These must be provided to the dwelling. Information of its store has not been included however the highways consultation and waste and recycling consultation have not raised this as a concern.

Living conditions of future occupiers

38. This scheme proposes six bedrooms with one person per room occupancy levels that has been specified. All rooms are above the national minimum standard size for HMO use. The following make up of rooms would be offered: -
- **Ground Floor:** One bedroom with ensuite (17.6m²), one living room, one kitchen and one dining room with W/C and utility
 - **First Floor:** Three bedrooms (17.6m², 16.41m² and 12.2m²) all with ensuites and a communal snug/office room.
 - **Second Floor:** Two bedrooms (14m² and 16.5m²) both with ensuites and a kitchenette/living room.
39. All habitable rooms would have clear outlooks and daylight.

Heathland Mitigation

40. The site is within 5km of a designated Dorset Heathlands SPA (Special Protection Area) and Ramsar Site, and part of the Dorset Heaths candidate SAC (Special Area of Conservation) which covers the whole of Bournemouth. As such, the determination of any application for an additional dwelling(s) resulting in increased population and domestic animals should be undertaken with regard to the requirements of the Habitat Regulations 1994. It is considered that an appropriate assessment could not clearly demonstrate that there would not be an adverse effect on the integrity of the sites, particularly its effect upon bird and reptile habitats within the SSSI.
41. Therefore, as of 17th January 2007 all applications received for additional residential accommodation within the borough is subject to a financial contribution towards mitigation measures towards the designated sites. However, in this case, no contribution is required because the contribution for a Class C4 HMO (up to 6 residents) is the same as that for a single dwelling having regard to Appendix B of the Dorset Heathlands Planning Framework 2020-2025.

Planning Balance/Conclusion

42. Overall, it is considered that the proposal is not adjacent or located within 100m “*of more than 10% of dwellings*” that “*are within a Use Class C4 or Sui Generis HMO use*” as set out within Policy CS24 of the Core Strategy and therefore the change of use would not lead to an overconcentration of such uses and cause significant impact to neighbouring properties.
43. The proposed development is considered to have an acceptable impact and respects the established character and appearance of the surrounding area. The proposed development would have an acceptable impact on neighbouring amenity and provides an acceptable standard of accommodation for future occupants
44. Therefore, having considered the appropriate development plan policy, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are set out above.

Recommendation

45. ***GRANT permission for the reasons as set out in this report subject to the following conditions:***

1. Development to be carried out in accordance with plans as listed:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Floor Plan Existing Layout

Reason: For the avoidance of doubt and in the interests of proper planning

2. Cycle Storage

The development hereby permitted must not be occupied or utilised until a scheme showing precise details of the proposed cycle parking facilities including floor plans and elevations are submitted to the Local Planning Authority. Any such scheme requires approval to be obtained in writing from the Local Planning Authority. The approved scheme must be constructed before the change of use is commenced and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

Informatives

Informative Note: Parking Permit

The applicant should note and inform future residents that residents may be excluded from being able to purchase permits associated with existing or future parking permit schemes controlled by the Council in the area. This is to encourage the use of sustainable modes of travel amongst future residents in line with Council aims to promote sustainable travel.

Informative Note: Registration required with Environmental Health

The property subject to the application will be a House in Multiple Occupation under the provision of the Housing Act 2004. It is a requirement that these premises be registered with Environmental Health and Consumer Services. In addition, the property must comply with the Council's standards and statutes governing occupying levels, provision of amenities, means of escape from fire. It must also be properly managed. For further details of your statutory obligations contact Environmental Health and Consumer Services on (01202) 451083.

Background Documents:

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application.

Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act.

Reference to published works is not included