



# Design & Access and Planning & Heritage Statement

## Site Address:

5 Binswood Street, Leamington Soa CV32 5RW

**Prepared for:**

Mr Kyriacou

**Prepared by:**

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Planning & Architecture

**Date of report:**

January 2024

This Design & Access and Planning & Heritage Statement accompanies the Full Application for the change of use from residential dwelling to HMO (retrospective) at 5 Binswood Street, Leamington Spa.

## 1.0 Site Assessment

### 1.1 Site Location

The application site is located at 5 Binswood Street, Leamington Spa.



Figure 1: Site Location

### 1.2 Planning History

There is no planning history for this property.

### 1.3 Flood Risk

The site is in Flood Zone 1 (low probability) and is therefore not at risk of flooding.

## 2.0 Heritage Statement

### 2.1 Listed Buildings

The property is not listed. The closest listed building is 2 Binswood Avenue which is Grade II Listed. However, as no external changes

are proposed as part of this application there will be no impact on the significance of the heritage asset.

### 2.2 Designated Areas

The site is located just within the Leamington Spa Conservation Area.



Figure 2: Leamington Spa Conservation Area

Due to the building's location within the Conservation Area care has been taken to ensure that the proposed scheme is in keeping with the characteristics of the area and to limit any potential impacts on the Area's local distinctiveness.

As there are no external changes to the building proposed the change of use to HMO will not have a negative impact on the setting of the Conservation Area.

It is not located within the West Midlands Green Belt or an Area of Outstanding Natural Beauty (AONB).

## 3.0 HMO Justification

### 3.1 HMO Policy

Policy H6 of the Warwick District Local Plan states that "planning permission will only be granted for Houses in Multiple Occupation, including student accommodation where:

*a) the proportion of dwelling units in multiple occupation (including the proposal) within a 100m radius of the application site does not exceed 10% of total dwelling units;*

There are approximately 150 properties within a 100 metre radius of 5 Binswood Street. Of these 150 properties, 2 are Licensable HMOs.

There are also 7 other non-licensable HMOs which will require to be licensed by the 18<sup>th</sup> of January 2024. This property currently falls within the non-licensed HMO category, see Figure 3 below.



Figure 3: Map showing existing HMOs (highlighted by red and green dots) with 100m radius of 5 Binswood Street

Therefore, if this site were to be officially converted into an HMO there would be 3 licensable HMOs within a 100m radius, which would total of 2%. Including the non-licensable HMOs there is a total of 6%.

*b) the application site is within 400m walking distance of a bus stop;*

The property is located less than 75m walking distance of a bus stop.

*c) the proposal does not result in a non-HMO dwelling being sandwiched between two HMO's;*

The proposal does not result in a non-HMO dwellings being sandwiched between two HMO; the nearest HMO is on Binswood Avenue.

*d) the proposal does not lead to a continuous frontage of three or more HMOs; and*

The proposal does not lead to a continuous frontage of three of more HMOs, as there are no existing or committee HMOs adjacent to the site.

*e) adequate provision is made for the storage of refuse containers whereby –*

- i. the containers are not visible from an area accessible by the general public, and*
- ii. the containers can be moved to the collection point along an external route only*

Adequate provision for the storage of refuse containers is provided and they are not visible from an area accessible to the public. Refuse containers can be moved to the collection point on collection day as currently occurs for the site and neighbouring properties.

### 3.2 HMO Concentration Calculation

There are 150 dwellings within 100m radius of the site.

There are 9 existing HMOs within 100m radius of the site (including 7 currently non-licensed HMOs like this one).

The proposed HMO concentration percentage will be 2% including this property (6% including non-licensable HMOs).

## 4.0 Proposal

It is proposed to change the use of the residential dwelling to an HMO.

### 4.1 HMO Standards

The space standards for a three bed HMO are as follows:

**Communal Areas:** 1.9m<sup>2</sup> per tenant (excluding kitchen space). As there are three tenants a communal space of 5.7m<sup>2</sup> is required and a space of 13.6m<sup>2</sup> has been provided.

**Bedrooms:** Double bedrooms where sufficient communal space is available must be a minimum of 11m<sup>2</sup>. The areas of the three bedrooms are as follows: Bedroom 1: 14.1m<sup>2</sup>, Bedroom 2: 11m<sup>2</sup>, & Bedroom 3: 14.4m<sup>2</sup>. All three bedrooms meet the minimum space standards for double bedrooms.

**Bathrooms:** For an HMO with three persons a minimum of one bathroom with a bath or shower, toilet and hand wash basin are required. Two bathrooms, one on the ground floor with a shower/toilet/basin and one on the first floor with a bath/toilet/basin are proposed.

## 4.2 Design and Layout

The HMO will comprise of:

Ground Floor: Living/dining room, Kitchen, Bedroom 1 and Bathroom.

First Floor: Two double bedrooms (Rooms 2 & 3) and a bathroom.



**Figure 4: Proposed Floor Plans**

There are no external alterations to the property proposed. There is only one internal alteration proposed, there was previously a single bedroom/office space on the first floor. However, as this does not meet minimum space standards for a single HMO bedroom this will be replaced by an additional bathroom.

## 4.3 Appearance and Materials

There are no external alterations to the property proposed.

## 4.4 Parking

As per the Warwick District Council's adopted Parking Standards (June 2018) SPD the parking requirements for the 3-bed HMO will be two car parking spaces and secure storage space for two cycles. The property has permit rights for 2 spaces on the road parking at the front of the property. The requirement for the HMO is the same as the number of spaces required for the existing dwelling.

There is appropriate space for cycle storage within the rear garden.

## 5.0 Planning Policy

### 5.1 National Planning Policy Framework (NPPF)

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

The NPPF sets out the three dimensions to sustainable development; economic, social and environmental. These dimensions, which are seen as mutually dependent, give rise to the need for the planning system to perform a number of roles:

- The economic role should ensure that sufficient land to the right type is available in the right places and at the right time to support growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure.
- The social role supporting strong, vibrant and healthy communities, by providing the supply the housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support health, social and cultural well-being.
- Lastly the environmental role should contribute to protecting and enhancing our natural, built and historic environment.

Amongst the core principles set out in the NPPF, Local Planning Authorities' are urged to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

**Paragraphs 194 and 199.** Heritage assets should be conserved by the LPA in a manner that is appropriate to their significance. As there are no external alterations to the property proposed, the scheme will not harm the setting of the Conservation Area.

**Paragraph 206.** LPAs should look for opportunities for new development within Conservation Areas and within the setting of heritage assets.



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Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

As the NPPF is the National Policy that all LPAs Policies need to be compliant with, it therefore carries significant weight in planning decisions.

## 5.2 Warwick District Local Plan (2011-2029)

The District Local Plan was adopted in September 2017 and therefore carries significant weight in planning decisions and takes precedence over National Policy.

**Policy H1: Directing New Housing.** Leamington Spa is an Urban Area therefore this site is considered to be within a settlement which is an acceptable location for residential development in principle.

**Policy H6: Houses in Multiple Occupation and Student Accommodation.** The proposal meets the requirements of Policy H6 as assessed in Section 3 of this Statement.

**Policy HE2: Conservation Area.** There are no external alterations proposed and therefore the development will not have any impact on the setting of the Conservation Area.

**Policy BE1: Layout and Design.** The development does not include any external alterations and would not have any impact of the character of the street scene.

**Policy BE3. Amenity.** The proposed change of use includes no external alterations and is therefore unlikely to have an impact on the neighbouring residential amenity. The HMO would provide adequate living conditions for the future occupiers in accordance with HMO guidance, adequate private amenity space and all rooms would benefit from outlook and light.

**Policy TR3: Parking.** The required provision for the HMO is the same as the number of spaces required for the existing dwelling. The existing residential dwelling has permits (Zone L1) allowing occupiers to park in front of the property. As there is no net increase in the number of spaces required for the proposals the application is acceptable in this regard.

## 6.0 Conclusions

In summary the application should be granted because of the reasons outlined above, the proposed change of use from residential dwelling to HMO in compliance with Policy H6 and would not cause an increase in the concentration of HMOs that would warrant the refusal of planning permission.

We therefore respectfully request that this application is granted by the Case Officer.