#### **Development Management Committee**

#### Item 6 Report No.EHPG2325 Section C

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Chris Jones
Application No.	23/00362/FULPP
Date Valid	24th May 2023
Expiry date of consultations	15th June 2023
Proposal	Conversion of the building from 14 unit HMO into 12 self-contained flats including partial first and second floor rear extension and loft conversion
Address	Hockliffe House 14 The Grove Aldershot Hampshire
Ward	Manor Park
Applicant	Mr Jan Mohammad Mandozai
Agent	Mr Edris Farhat
Recommendation	REFUSE Planning Permission

## Description

Hockliffe House is a substantial building on the western side of The Grove, with a car parking area at the rear, which originally extended to the boundary with Cavendish Road. The premises was formerly used by Hampshire County Council as a family day centre, but in July 2012, planning permission 12/00309/COUPP was granted for the conversion of the building to a large house in multiple occupation with 14 letting rooms and this use was subsequently commenced. The approved plans show that the area of land immediately to the rear of the building would be laid out to provide 5 parking spaces to serve the HMO, leaving the western portion of the site available for a separate development. Subsequently, planning permission 16/00968/FULPP was granted on 17 March 2017 for "Erection of a block of three two-bedroom houses at rear of site, fronting Cavendish Road and with parking to rear and vehicular access from The Grove." These dwellings have now been built and are known as 2a, 2b and 2c Cavendish Road . The approved plans show that the yard area between the rear elevation of Hockliffe House and the rear boundaries of the gardens of the houses should be marked out to provide 6 parking spaces to be retained for the HMO.

In the current application, it is proposed to add part first and second floor extensions to the rear elevation, to add a dormer to the front facing roof-slopes to facilitate the formation of accommodation in the roof space at 3<sup>rd</sup> floor level, and to convert the premises to 12 self-contained one-bedroom flats. The supporting statement indicates that parking for the

occupants of the flats would be available in the yard to the rear, the whole of which is included within the red line site boundary.

#### **Consultee Responses**

RBC Regeneration Team	No comment received.
Parks Development Officer	No Objection, subject to a financial contribution.
Contract Management	No Objection – provides information on type and number of bins required.
HCC Highways Development Planning	No Objection.
Ecologist Officer	No Objection - Subject to submissions of Bat Survey(s) and details of mitigation, to be submitted before any planning permission is granted.
Hampshire Fire & Rescue Service	No Objection.
Strategic Housing	No Objection, subject to financial contribution towards off-site provision of affordable housing.

### **Neighbours notified**

In addition to posting a site notice, individual letters of notification were sent to 26 addresses; 16, 18, 20, 20A, 20B, 20c The Grove: 2, 1A, 2B, 2C, 4 Cavendish Road: 1A, 1B, Lysons Road and 35, 37, 57, 59, 62, 63, 64, 67, 85, 89, 92, 108, 110, Stratfield House, Birchett Road, Aldershot.

#### Neighbour comments

Councillor Roberts notes that many of the occupants of the existing property are elderly Nepalese and queries whether there would be adequate accommodation available to them if the building was converted to flats.

Officer comment: The future of existing occupiers is not a material consideration for the determination of this planning application.

#### Policy and determining issues

The site is located within the Defined Urban Area and the following policies of the Rushmoor Local Plan are considered to be relevant:-

SS2 (Spatial Strategy), IN2 (Transport), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE6 (Open Space, Sport & Recreation), DE7 (Playing Fields and Ancillary Facilities), LN1 (Housing Mix), LN2 (Affordable Housing), NE1 (Thames Basin Heaths Special Protection Area), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE8 (Sustainable Drainage

Systems).

Also relevant are the Council's Affordable Housing SPD, the Car and Cycle Parking Standards SPD and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy (AMS). Saved Policy NRM6 of the South East Regional Plan is also relevant.

The main determining issues are:

- 1. Impact on character & amenity;
- 2. Impact on adjoining properties;
- 3. Living environment created;
- 4. Affordable housing;
- 5. Highway considerations;
- 6. Public open space;
- 7. Nature conservation;
- 8. Trees,
- 9. SUDS and
- 10. Other Matters

### Commentary

#### 1. Impact on character & amenity-

The application proposes extensions to the rear of the building, which would not be readily seen from the street. However, the roof pitches of the rear projecting elements would not relate well to the existing roof designs of the building (evidently so as not to obstruct the rear facing dormers) and it is questionable whether matching tiles could be installed at this shallow pitch. However, since these elements would not be visible from any publicly accessible location, it is considered that any harm would be limited and would not justify refusal. The proposed flat-roofed roof extension would be largely concealed from view by part of the existing roof and would not materially and adversely affect the appearance of the building or the character of the area.

#### 2. Impact on adjoining properties -

The proposed change of use is likely to result in a reduction in intensity of use of the premises, which may benefit the occupants of the adjoining residential properties. It is not considered that the proposed extensions and windows would material and adversely affect the amenity, outlook and privacy of the nearby occupants.

#### 3. Living Environment Created-

For clarity, there are discrepancies between the stated GIA for each unit and the actual unit sizes when measuring from the plans. For the purposes of this assessment, the officer's measurement of the plans are taken into account.

The design and access statement indicates that all the proposed units will meet the minimum GIA requirements of Policy DE2. However this is not the case. No bed space sizes have been indicated on the plans. Units 1, 2, 6, 7, 10 have a bedroom that is too small for a double bed space, but large enough to accommodate a 1 bed space unit, and would comply with the Council's minimum standards.

Units 3, 5, 8, 9, 11 and 12 would have a bedroom large enough to occupy two bedspaces. It

would be therefore likely that two persons would occupy this unit, and it is therefore reasonable to assess these units as for 1 bedroom 2 persons. The minimum GIA would be 50 sq. m. flats 3, 5, 9 and 11 would meet the policy requirement.

However, the remaining units do not. The Council's Internal Space standards are minimum standards that accord with the Nationally Described Space Standards. Unit 4 would only have an internal floor space of 36.7sqm, rather than the required 37sqm for a 1 bedroom 1 person unit, and flat 5 as a 1 bedroom 2 person unit would only provide 38sqm rather than 50sqm, and flat 8 as a 1 bed 2 person unit would only measure 49.5sqm rather than 50sqm.

There is also a requirement under this policy to show 1.0 or 1.5 sq. m of built-in storage for 1b1p and 1b2p units respectively, which is not present in the scheme.

Units 4, 5, and 8 would therefore fall short of the minimum internal floor space standards, contrary to Policy DE2 of the Local Plan.

In addition to the above, Policy DE3 requires useable private open amenity spaces to be provided. For flats, this should be provided by means of a balcony, accessible from the main habitable room and with a minimum area of 5 sqm and such spaces are not shown. The policy recognises that the provision of balconies will not always be appropriate and indicates that the floor area can be added to the GIA required under Policy DE2 if it is considered appropriate to do so, although this is not a mandatory requirement of the policy. While some of the units would meet this extended requirement, others are at or below the basic minimum and do not therefore comply with the requirements of Policies DE2 and DE3.

In addition to the above, both the plans and the elevations do not show any windows to provide natural daylight or ventilation into Flats 5 and 11, which would therefore have very poor outlook and dark conditions within the main living areas – the living rooms, resulting in an unacceptable living environment. It is therefore considered that the proposal is contrary to Policies DE2 and DE3 of the Rushmoor Local Plan.

## 4. Affordable Housing –

Policy LN2 of the Rushmoor Local Plan requires the delivery of affordable housing will be supported by requiring developments, subject to site viability, to provide:

- On sites of 11 or more dwellings, a minimum of 30% of dwellings as affordable homes, and
- On sites of 11 to 14 dwellings, either on-site provision of affordable housing or a commuted sum of equivalent value.

As the proposal would result in 12 flats, on-site provision of 3 units, and 0.6 as an in-lieu contribution would be required, or the in-lieu payment of 3.6 units. The agent's submission has made no reference for the need for affordable housing, and the applicants have not responded to the officer's questions in that respect.

Due to the lack of the provision of affordable housing, and in the absence of evidence that the scheme cannot viably provide for affordable housing, it can be concluded that the requirements of Policy LN2 are not met.

## 5. Highways Matters-

The application red line includes the whole of the yard to the rear of the building. However, the submission does not consider that the area to the rear is already required to provide

parking for the houses at the rear of the site – 2a 2b and 2c Cavendish Road, as well as the existing HMO.

No parking layout is provided and the design and access statement merely states that the current proposal reduces the density of occupancy and will reduce the demand for the existing car parking spaces which would be retained for the use of the occupants of the building.

Planning permission 16/00968/FULPP was granted for "Erection of a block of three twobedroom houses at rear of site, fronting Cavendish Road and with parking to rear and vehicular access from the Grove" on land at the rear of Hockliffe House in March 2017. The approved plans for this development showed that the yard should be marked out to provide 6 parking spaces for these new residential properties and one visitor parking space, with 5 parking spaces to be retained for the HMO. The planning permission was granted subject to conditions, including condition 9 which states that:

"The parking spaces shown on the approved plans shall be provided before the first occupation of the development hereby permitted and used only for the parking of vehicles ancillary and incidental to the residential use of both the new dwellings hereby approved. These spaces shall be kept available at all times for parking and shall not be used for the storage of caravans, boats or trailers. The five parking spaces proposed for the existing House in Multiple Occupation shall also be provided as indicated on the approved plans and shall be retained thereafter for the use of the occupiers of the House in Multiple Occupation. Reason - To safeguard residential amenity and ensure the provision and availability of adequate off-street parking."

From the Case Officer's visit to the application site, no evidence could be seen that this parking layout is in place there is apparently a breach of this planning condition, which the Council will need to consider the expediency of pursuing, independently of consideration of the current application. However, for the purposes of the current submission, a parking layout plan has been requested which should show the proposed parking arrangements and should distinguish between spaces that are to be provided for the proposed flats and those for the existing dwellings. At the time of writing, no such parking layout has been received, although the planning agent has indicated verbally that the layout approved under planning permission 16/00968/FULPP is to be provided, and 5 spaces would be provided for 12 flats.

Policy IN2 of the Rushmoor Local Plan requires that off-road parking provision be provided in accordance with the standards set out in the Council's Car & Cycle Parking Standards SPD. The parking standards for HMOs is one parking space per bedsit, giving a requirement of 14 spaces for the current use.

The proposed conversion to 12 one-bed flats would give rise to a demand for 12 spaces and thus there would be a reduction of 2 spaces in parking requirement, when taken at face value. Notwithstanding this, as planning application 16/00968/FULPP was considered in the light of the same parking standards that currently apply, it is appropriate to explore further why the Council concluded that an HMO which would require 14 spaces according to the standard would be acceptable with only five spaces.

The application for the change of use of the building to an HMO 12/00309/COUPP was considered at a time when parking standards were expressed as maximums rather than minimums and information submitted at the preapplication stage demonstrated that car ownership at comparable HMOs in Aldershot was lower than indicated by the standards and on that basis, it was accepted that 5 spaces would be sufficient to meet the needs of the

HMO use. The land upon which 2a, 2b and 2c Cavendish Road and their parking spaces were later approved were excluded from the site boundaries of this application.

Given that an allowance was made for lower car ownership in association with the HMO use, which appears to have been a reasonable assumption, and which has not demonstrably resulted in overspill parking onto the highway, it is necessary to consider whether any similar allowance should be made to support a planning permission for 12 flats with only five spaces.

The applicant has not provided any evidence to justify this. The Council is not aware of any evidence base which would support lower car availability in association with one-bedroom units in Aldershot to such an extent that 5 spaces would be deemed sufficient to meet the functional needs of a development containing 12 flats. Indeed, the average car availability for 1 bedroom units in Manor Park ward as revealed in the 2021 Census was 0.6 cars per property. Therefore, in the absence of a parking layout and accompanying justification, it is considered that the proposal does not demonstrate that satisfactory off-road parking would be provided in accordance with the Council's adopted standards and therefore that it is contrary to Policy IN2 of the Rushmoor Local Plan.

## 6. Public Open Space-

Policies DE6 and DE7 of the Rushmoor Local Plan require that new residential developments include public open space and sports pitches, or, where the sites are too small to accommodate such works, that a financial contribution towards off-site works that could be fairly related to the proposed development and be of benefit to the occupants of the scheme. The Parks Officer has identified that a contribution of £31,988.16 towards Landscaping and general infrastructure improvements, pond habitat improvements and playground refurbishments at Manor Park, High Street Aldershot or Landscaping and general infrastructure improvements. However, it appears that a financial contribution was made in association with the conversion of the premises to a 14-bedroom towards off-site provision of public open space and since the proposal would result in a decrease in the occupancy of the premises, it is considered that it would not be appropriate to seek a financial contribution in respect of the current proposal.

## 7. Nature Conservation –

The proposal is located within 5km of the boundaries of the Thames Basin Heaths Special Protection Area (TBHSPA), where any proposal involving a net increase in the number of dwellings must provide mitigation for the impact of the development on the TBHSPA in accordance with the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy 2021(TBHSPA AMS), otherwise it will be considered contrary to Policy NE1 of the Rushmoor Local Plan and saved Policy NRM6 of the South East Regional Plan. For the purposes of determining the impact of proposals for new Houses in Multiple Occupation (and the required mitigation capacity and financial contributions to mitigate their impact), the TBHSPA AMS indicates that each bedsitting room should be regarded as equivalent to a one-bedroom dwelling house. It is therefore considered that the current HMO use has an "in combination" effect on the TBHSPA equivalent to 14 one-bedroom units and therefore since the proposal would result in a net reduction in the number of units from 14 to 12, there is no requirement for mitigation by means of the TBHSPA AMS or otherwise, in order to comply with the requirements of Policy NE1 of the Rushmoor Local Plan or saved Policy NRM6 of the South East Regional Plan.

The Council's Ecology Officer has commented that, due to the age and construction of the building, bats may be present and has advised that appropriate surveys should be carried out before any planning permission is granted. No such surveys have been submitted and since the proposals are not considered to be planning policy compliant in a number of other respects, it is not considered appropriate to delay the determination of the application while such surveys are carried out. It is therefore considered that permission should also be refused on this basis.

## 8. Impact on Amenity Trees-

There are no amenity trees on the site that would be affected, and, notwithstanding the lack of a proposed parking layout, there appears to be little scope for meaningful landscaping.

## 9. Provision of SuDS- & Surface Water Drainage-

Policy NE8 requires that for existing brownfield developments, the peak run-off rate/volume from the development to any drain, sewer or surface water body for the 1-in-1-year and 1-in-100-year rainfall event must be as close as reasonably practical to the greenfield run-off rate from the development for the same rainfall event but should never exceed the rate of discharge from the existing development on site. As noted above, a substantial portion of the rear yard included within the current application boundary was also included within the development site for 2a, 2b and 2c Cavendish Road, and was intended to provide access and parking for those properties, as approved under planning permission 16/00968/FULPP.

Condition 7 of the planning permission required the submission and approval of appropriate measures and its subsequent implementation. Details were duly submitted under reference 17/00725/COND and a Surface water strategy report prepared by Dr Robin Saunders of Innervision Design Ltd was approved. The report proposed various measures including replacement of existing impermeable surfaces with permeable surfaces. From a site visit, it was not clear that any of the surfacing within the current red line area was so replaced and therefore clarification on this point has been requested from the applicant, who was advised that if the approved SuDS system was not installed, then they should set out their intentions for meeting the requirements of Policy NE8 as part of the current proposal. No response has been received in response to this query and it is therefore considered that the application has not satisfactorily demonstrated that the requirements of Policy NE8 had been met.

## 10. Other Matters-

This application has been submitted by Mr Jan Mohammad Mandozai, who, by completing Certificate A on the application forms, has stated that on the date 21 days before the date of the application, he was the sole owner of the land and premises. It is noted however that on previous applications made since the site was vacated by Hampshire County Council, that the owner was given as Group Properties Limited, of which the applicant is listed as a Company Director and the Land Registry indicates that this company is still the registered owner of the land. The HMO Licence has also been issued to Group Properties Limited. This matter was raised with the planning agent, who has maintained that the applicant is the sole owner of the premises, and this has been the basis on which the applicant, should they wish to prepare a S106 Planning Obligation in the event of an Appeal or a revised application.

# **Conclusion-**

It is therefore concluded that based upon the information submitted with this application, permission should be refused on the grounds that it would not provide a satisfactory living environment for all of the units, both in terms of GIA and natural daylight, contrary to Policy D2 and DE3; that it fails to make adequate provision for Affordable Housing, as required Policy LN2; that it has not been adequately demonstrated that the functional parking requirements of the proposed development and adjoining residential properties will be met, as required by Policy IN2; that, in the absence of appropriate bat surveys and mitigation proposals, if appropriate, it has not been satisfactorily demonstrated that adequate surface water drainage would be provided, contrary to Policy NE8.

### FULL RECOMMENDATION

It is recommended that permission be REFUSED for the following reasons:

- 1 The proposal, by reason of the substandard sizes of some units and the lack of natural daylighting, ventilation to or outlook from the main living areas of others, would fail to provide a satisfactory living environment for their occupiers, contrary to Policies DE2 and DE3 of the Rushmoor Local Plan.
- 2 The proposal includes no provision for affordable housing, as is required by Policy LN2 of the Rushmoor Local Plan.
- 3 It has not been demonstrated that off-street parking can be provided on site at a level commensurate with the needs of 12 self-contained flats together with retained off-street parking for the existing dwellings fronting Cavendish Road. The proposal is thereby contrary to Policy IN2 of the Rushmoor Local Plan and the Car & Cycle Parking Standards SPD.
- 4 The proposal has failed to demonstrate, through adequate surveys of the application land and appropriate proposals for mitigation and management measures, that there would be no adverse impact on protected wildlife species likely to be present (bats) having regard to the requirements of adopted Rushmoor Local Plan (2014-2032) Policies NE2 and NE4.
- 5 The proposals fail to provide details of appropriate surface water drainage for the development as required by adopted Rushmoor Local Plan Policy NE8.

#### Informatives

1 INFORMATIVE – The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of preapplication discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.



























