The Planning Inspectorate

Appeal Decision

Site visit made on 22 July 2020

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/D0840/W/20/3246090
Gwellheans, 1 Alma Place, Redruth TR15 2AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs M Batten against the decision of Cornwall Council.
- The application Ref PA19/02080, dated 28 March 2019, was refused by notice dated 19 December 2019.
- The development proposed is described as *'Change of use of building from offices (B1.a Use Class benefitting from a prior notification decision to convert into 7no. residential flats) to 12 bedroom house in multiple occupation residential use'*

Decision

1. The appeal is allowed and planning permission is granted for Change of use of building from offices (B1a use class) to a 12 bedroomed house in multiple occupation residential use at Gwellheans, 1 Alma Place, Redruth TR15 2AT in accordance with the terms of the application Ref PA19/02080, dated 28 March 2019, subject to the conditions in the attached schedule.

Application for Costs

2. An application for costs was made by Mr and Mrs M Batten against Cornwall Council. This application is the subject of a separate decision.

Procedural Matter

3. I have used the description of development in the decision notice as it reflects the proposed development subject to the Council's decision. I have referred to it in my decision only insofar as it refers to the development proposed.

Main Issues

4. The main issues are whether or not the proposal would:

   - provide adequate living conditions for future occupants, with reference to inside space; and,
   - be consistent with the objectives of policies relating to housing, with particular regard to housing type and mix.

Reasons

Living conditions

5. Gwellheans is a substantial two storey historic property located within the centre of Redruth. Formerly a hotel, the site was most recently use as offices and has extent Prior Approval for conversion into flats under Ref PA18/02052.

6. Policy 13 of the Cornwall Local Plan: Strategic Policies Document 2010–2030 (adopted 2016) (the CLP) requires, amongst other things, for schemes to provide sufficient internal space in housing for everyday activities and to enable flexibility and adaptability by meeting nationally described space standards for all affordable housing (AH). The scheme does not include AH and the nationally described space standard does not directly relate to HMOs. As such, of greater relevance is the Council's Amenity Standards for Mandatory Licensable Houses in Multiple Occupation (2017) (the ASHMO).

7. The proposed bedrooms and the common room would each meet the minimum standards set out within the ASHMO. The distance from all bedrooms to the common room would not be out of the ordinary. Moreover, Gwellheans enjoys high ceilings, and the proposed bedrooms and the common room would be each served by a least one window, which would typically be large and tall owing to the architecture of the building. These features would elevate the quality of the living environment within Gwellheans for residents.

8. The ASHMO guides that kitchens used by up to 5 persons should be at least 7m² in area and those used by 6–10 persons at least 10.5m², with kitchens for more than ten people assessed case by case. The ground floor and first floor kitchens at Gwellheans would be 12.4m² and 12.6m² respectively, which would be adequate for the potential 22 residents. Whilst the first-floor kitchen would be constrained by its geometry, unacceptable congestion of this space could be avoided by residents of first floor rooms nearest to the stairs using the ground floor kitchen instead. This would not be an inconvenience in comparison to the alternative journey.

9. I thus conclude on this issue that the proposal would provide adequate living conditions for future occupants, with reference to inside space. The scheme would accord with the residential amenity aims of Policies 12 and 13 of the CLP and Paragraph 127 of the National Planning Policy Framework (the Framework).

Housing mix

10. Policy 6 of the CLP seeks schemes to use local evidence to meet the local need and demand for specific types, tenures and sizes of housing to contribute to the diversity of housing and help to redress any existing housing imbalance.

11. The current and future housing requirements of the Redruth community are set out within the Redruth Housing Needs Assessment (2020) (HNA). The HNA does not specifically identify a need for HMOs, focusing instead on larger houses, AH and housing for older people. However, it does not point to an existing imbalance towards HMOs, and it accepts that flexibility and therefore a broad mixture of other types of housing will also be required going forward.

12. Whilst the scheme would not provide AH, the HNA acknowledges that there are a number of households in Redruth who could have their needs met through other affordable products. In the circumstances, the proposal would contribute to the diversity of housing and could well provide an important step forward for those with the lowest quartile incomes who do not currently have access to AH.

13. I therefore conclude on this issue that the proposal would be consistent with the objectives of policies relating to housing, with particular regard to housing type and mix. It would accord with Policy 6 of the CLP and the Framework.

Other Matters

14. The site is within the Redruth Conservation Area (the RCA) and the Cornwall and West Devon Mining Landscape World Heritage Site (the WHS). I therefore have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the RCA. The WHS is a designated heritage asset of the highest significance. Both assets draw their significance from the mining heritage of the town, reflected by the high status of the architecture and references to the mining industry amongst its civic structures.

15. There is little evidence linking Gwellheans to the Outstanding Universal Value (OUV) of the WHS nor the significance of the CA. That is not to say that if it were to visually degrade it would not become harmful. However, despite being currently vacant there was little evidence of any deterioration at my visit. I am also mindful that the site already has a potential new use in the form of the extant Prior Approval scheme. Whilst the appellants have referred to certain financial constrains in delivering the extant scheme, its viability or otherwise has not been substantively set out. As such, there is no compelling reason to doubt its prospect. In these circumstances, the proposal would have a neutral effect on the OUV of the WHS and the character and appearance of the RCA.

16. Alma Place has been a location for crime and anti-social incidents over recent years, which is an issue that the local community and the authorities have worked proactively to resolve. However, there is no substantive evidence before me that increasing the housing density within the street through the introduction of this HMO would lead to any increase in such activity. Indeed, it seems to me more likely that finding a new use for Gwellheans and thereby increasing the supervision and the vibrancy of Alma Place as a residential environment would go some way to dissuading such behaviour.

17. Typical levels of noise generated through the residential use of the building would be compatible with this town centre environment. The site has excellent pedestrian access to the various services and facilities in Redruth and the proposed parking provision and arrangement of the refuse and recycling facilities is consistent with that found within the locality.

Conditions

18. In addition to the standard time condition, a condition is needed to define the approved plans in the interests of certainty. To safeguard the environmental quality of the area it is necessary to ensure that the refuse and recycling storage facilities are set out and retained. In the interests of the living conditions of future residents the external amenity space and parking areas are also required to be established prior to first occupation and retained thereafter.

Conclusion

19. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be allowed, subject to conditions.

Matthew Jones

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2019/05-03P1, 2019/05-04P9.

3) Prior to the first occupational use of the residential units hereby permitted the bin and recycling storage areas as shown on the approved plan Ref 2019/05-04P9 shall be made available and shall be retained as such.

4) Prior to the first occupational use of the residential units hereby permitted the external amenity space and cycle/motorbike/car parking facilities for the occupants of, and visitors to, the development shown on the approved plan Ref 2019/05-04P9 shall be made available and shall be retained as such.