

**Planning Application F/TH/23/1234 - 38 Effingham Street,
Ramsgate, Kent CT11 9AT**

Planning Committee – 22 May 2024

Report Author Rosemary Bullivant, *Planning Officer*

Status ***For Decision***

Classification: Unrestricted

Previously Considered by **Planning Committee 13 March 2024**

Ward: ***Central Harbour***

Executive Summary:

This report concerns an application submitted under reference F/TH/23/1234 for the change of use from residential dwelling (Use Class C3) to 6-bed HMO (Use Class C4) together with bin store and cycle storage that was brought to Planning Committee on 13th March 2024, with a resolution agreed by members to “Defer to officers to seek amendments to reduce the number of bedrooms by one to increase communal space then bring back to members for decision.”

The applicant has amended the ground floor plan to show the number of bedrooms reduced by one. The bedroom is now a living room and the space occupied by the en-suite is a seating area with more dining facilities at the rear of the property at ground floor level.

There are no other changes to the proposed development previously considered by members (see report within Annex 1). The application is reported back to members with a recommendation for approval following receipt of amended plans.

Recommendation:

Members approve the application under reference F/TH/23/1234, subject to safeguarding conditions restricting the occupancy of the property to 5 persons, and conditions as previously set out with reference to the amended floor plans showing the revised layout.

CORPORATE IMPLICATIONS

Financial and Value for Money	No implications.
Legal	The Planning Committee is not bound to follow the advice of Officers. However, if officers’ professional or technical advice is not followed,

	<p>authorities will need to show reasonable planning grounds for taking a contrary decision.</p> <p>The reasons for any decision must be formally recorded in the minutes and a copy placed on file.</p> <p>If Members decide not to accept the advice of Officers it should be mindful of the potential for legal challenge and associated cost implications.</p>
Corporate	<p>The delivery of new housing through the Local Plan and planning applications supports the Council's priorities of supporting neighbourhoods ensuring local residents have access to good quality housing, and promoting inward investment through setting planning strategies and policies that support growth of the economy.</p>
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <p>In the opinion of the author of this report the Public Sector equality duty is not engaged or affected by this decision.</p>

1.0 Background

- 1.1 Members considered this application under planning reference F/TH/23/1234 for the change of use from residential dwelling (Use Class C3) to 6-bed HMO (Use Class C4) together with bin store and cycle storage.
- 1.2 The application was brought to Planning Committee on 13 March 2024 and Members made a decision to "Defer to officers to seek amendments to reduce the number of bedrooms by one to increase communal space then bring back to members for decision."

2.0 Analysis

- 2.1 Following amendments to the ground floor layout, the bedroom to the front of the property has been removed and made into a living room, and the space occupied by the en-suite now provides a seating area in the kitchen area. The kitchen now extends across the wall opposite the window, and the additional space allows for a separate dining area to be located at the rear of the building.
- 2.3 No further amendments or alterations have been made to the proposal, other than the internal alterations to the ground floor layout following the removal of one

bedroom, and the application is otherwise identical to that previously reported to the Planning Committee.

- 2.4 It is recommended that Members approve the application on the basis of the amended plans, resulting in the change in the description of development from:

‘Change of use from residential dwelling (Use Class C3) to 6-bed HMO (Use Class C4) together with bin store and cycle storage’

To:

‘Change of use from residential dwelling (Use Class C3) to 5-bed HMO (Use Class C4) together with bin store and cycle storage’

3.0 Options

- 3.1 Members approve the application including safeguarding conditions outlined in Annex 1, with condition 2 updated to include the amended ground floor plan, and condition 3 updated to state that “No more than five persons shall occupy the property as principal or main residence at any one time.”

- 3.2 Members propose an alternative motion.

4.0 Recommendations

- 4.1 Officers recommend Members of the Planning Committee to agree option 3.1.

Contact Officer:	Rosemary Bullivant, Planning Officer
Reporting to:	Emma Fibbens, Principal Planning Officer

Background Papers

Annex 1	Committee Report F/TH/23/1234
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