

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations

H9 Controlling the Conversion of Property to form Dwellings

T10 Parking - New Development

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 and H9 are still given significant weight. Policy T10 is afforded less weight).

Development Strategy for Central Bedfordshire (June 2014)

Policy 25: Functioning of the Network

Policy 27: Car Parking

Policy 43: High Quality Development

The draft Development Strategy was submitted to the Secretary of State on the 24th October 2014. After initial hearing sessions in 2015 the Inspector concluded that the Council had not complied with the Duty to Cooperate. The Council has launched a Judicial Review against the Inspectors findings and has not withdrawn the Development Strategy. The first phase of the legal challenge took place at a hearing on 16th June 2015. This was to consider whether the court would grant the Council leave to have a Judicial Review application heard in the High Court. The Judge did not support the Council's case. On the 22nd June 2015 the Council lodged an appeal against this Judgement. The status of the Development Strategy currently remains as a submitted plan that has not been withdrawn. Its policies are consistent with the NPPF. Its preparation is based on substantial evidence gathered over a number of years. It is therefore regarded by the Council as a sustainable strategy which was fit for submission to the Secretary of State. Accordingly it is considered that the emerging policies carry weight in this assessment.

Relevant Planning History

None

Consultee Responses

Houghton Regis Town Council

No objections. However, concerns are expressed about a shortage of parking spaces (8 spaces for 12 housing units) and the potential increase in traffic in a tight access space.

Highways England

The proposal won't have any adverse impact on the A5.

Highways Officer

The applicant wishes to change the use of the existing dwelling into an HMO.

It is unknown at this stage, as to the end user of the development and therefore it is difficult to assess the proposed parking requirements.

The parking standards based on the current level of information submitted, would be 1 parking space per bedroom, to be shown on the site layout drawing. I would also expect a turning area to be shown within the site, to accommodate a light goods vehicle, similar to that of an online supermarket delivery vehicle.

I understand you will be contacting the applicant to seek further information and I look forward to receiving it.

Other Representations

Old Cottage, The White House and Key Cottage, Chalk Hill

Object to the proposal for the following reasons:

- The increase in vehicular traffic to an HMO will be dangerous. The junction from Chalk Hill onto the A5 has restricted visibility and there is insufficient length on the central turning lane on the A5 causing tailbacks. There is a public bridleway at the bottom of Chalk Hill and there is a lot of use from walkers, cyclists and horse riders.
- Chalk Hill is very narrow with problematic parking and no pedestrian walkway.
- Chalk Hill comprises private dwellings occupied by people who take pride in their homes. The proposal would put people in Hillside who would have no interest in looking after the area and may only be here a short while.
- The proposal is a distance from town and public services with an infrequent local bus service and a car is required to access necessary facilities.
- No information has been provided on the type of people who will be living in Hillside, which is irresponsible.
- The crime rate has increased in recent years due to unauthorised persons entering / trespassing local properties and resulting in significant damage to private vehicles and attempted house burglaries.
- The proposal would increase levels of activity, noise and disturbance, which will be exacerbated by the topography of Chalk Hill and the elevated nature of Hillside;
- Mobile phone signal is poor and it is therefore considered likely that occupiers would need to go into the garden to have telephone conversations, which would further increase noise levels and disturbance to neighbouring occupiers.
- The proposal will increase the amount of waste bins needed and the Council will not access the right of way to collect the bins, so they will be left for collection at the bottom of the Hillside / White House right of way, which will block this access.
- The increase in footfall in the area would invade on the privacy of the White House as passing people would have a view into the rear gardens and windows of The White House.

Determining Issues

The main considerations of the application are;

1. **Principle of Development**
2. **Impact on Neighbouring Amenity**
3. **Highways Considerations**
4. **Other Issues**

Considerations

1. Principle of Development

1.1 The preamble to policy H9 of the South Bedfordshire Local Plan Review states that it is recognised that in urban areas and larger villages the conversion or sub-division of suitable properties to provide additional units can be an important source of dwellings and a means of adapting the existing housing stock to meet the changing needs of the population. As such, the policy states that the conversion of property to provide additional accommodation will be permitted where:

i) The building and its plot are of suitable size and layout for conversion and are not located within an area of predominantly single family dwellings of a terraced, semi-detached or small detached type;

ii) Satisfactory provision is made for landscaped amenity space, parking and other services in appropriate locations, having regard to any standards set out in supplementary planning guidance;

(iii) Nuisance to neighbouring properties will not occur and there is a satisfactory separation, privacy and noise insulation between the proposed new units themselves and any neighbouring properties which may be affected by overlooking or noise disturbance;

(iv) Any living accommodation proposed for basement areas has adequate self-contained access and natural daylight to habitable rooms;

(v) Extensions which are necessary for the conversion are in accordance with policy H8 of the South Bedfordshire Local Plan Review to minimise their impact on the building, neighbouring properties and the wider area.

1.2 In this instance, Chalk Hill comprises a mix of dwellings including semi-detached and larger detached family homes. The subject dwelling has 12 existing bedrooms, which is considered to be of a suitable size and layout for conversion. The grounds are sufficient to provide a reasonable size communal garden at the rear of the site of 240 square metres. The subject dwelling has been vacant for some time and the proposal has come about as a result of the work of the Council's Empty Homes team. The proposal would bring this empty home back into use, in accordance with paragraph 51 of the National Planning Policy Framework.

1.3 No extensions are proposed and there would be no basement area. It is therefore considered that, subject to impact upon residential amenity and parking and highways (which will be considered below) that the principle of the development would be in accordance with policy H9 of the South Bedfordshire Local Plan Review and therefore acceptable.

2. Impact on Neighbouring Amenity

- 2.1 Neighbouring occupiers have raised concerns that the proposed change of use would result in an unacceptable increase in levels of noise and activity. It is noted that the existing dwelling has 12 bedrooms, which, as a single dwelling could legitimately be occupied by a large extended family and staff, who could be expected to have a reasonable amount of comings and goings and activity within the vicinity. It is noted that 8 of the proposed bedrooms are only large enough for single occupancy. It is considered that the use of the property as a single family dwelling with all 12 bedrooms occupied would be likely to generate comparable levels of noise, activity and footfall as the proposed house in multiple occupancy. It is therefore judged that the proposal would not result in a material loss of privacy, either visual or aural, to the occupiers of neighbouring properties.
- 2.2 There is no reason to consider that the occupants of a House in Multiple Occupation would not take pride in their property or would result in an increase in crime levels within the vicinity.
- 2.3 In light of the number of bedrooms at the existing property and the level of noise and activity this could generate, it is not considered that the proposed change of use would have a material detrimental impact upon the amenity of neighbouring occupiers. As such, the proposal is considered to be in accordance with policies BE8 and H9 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

3. Highways Considerations

- 3.1 The comments of the Town Council and the neighbouring occupiers are noted, however there is a bus stop within close proximity to the site which is located on a main bus route covering Luton, Dunstable, Leighton Buzzard and Milton Keynes with buses running every hour Monday - Saturday and every two hours on Sundays. It is considered that, for the majority of occupiers, the bus service would provide sufficient transport links for day to day living.
- 3.2 The application site would have 8 parking spaces which are to be retained as part of the proposal. Due to the sloping nature of the front section of the site, it would be difficult to provide additional parking spaces on the site. However, it is noted that the Council would have nomination rights for the House in Multiple Occupation and it is considered that the demographics of likely occupants would suggest that a high number of occupants would be unlikely to own a private vehicle.
- 3.3 It is noted that the Council does not have parking standards for Houses in Multiple Occupation. The parking standards for 14 x 1 bed flats would be 14 spaces, however, the minimum parking standards for the existing dwelling would only be a requirement for 3 parking spaces. As above, it is considered that a 12 bedroom, single family dwelling could result in parking demand considerably over 3 parking spaces, and the proposed demand for a 14 bedroom HMO is not likely to be significantly greater.

- 3.4 In light of the proposed demographics of the House in Multiple Occupation and the proximity of the bus stop, it is considered that 8 parking spaces would be reasonable for this application. The additional information in regards to the nomination rights has been provided to the Highways Officer and his further response will be reported on the Late Sheet.
- 3.5 It is noted that Highways England do not consider that the proposal would have a detrimental impact on the safety and capacity of the A5 and thus the impact of the proposed change of use on highway safety is considered to be acceptable.
- 4. Other Issues**
- 4.1 Information has been sought from the Agent in regards to waste disposal and collection and the results will be reported on the Late Sheet.
- 4.2 **Human Rights issues**
The proposal raises no Human Rights issues.
- 4.3 **Equality Act 2010**
The proposal raises no issues under the Equality Act 2010.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-403-01, 15-403-02, 15-403-03, 15-403-04, 15-403-05.
- Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

Planning permission is recommended for approval for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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