

Item No. 10**SCHEDULE A**

APPLICATION NUMBER	CB/09/00837/FULL
LOCATION	20 AND 20A HORSLOW STREET, POTTON, SANDY, SG19 2NX
PROPOSAL	FULL: CHANGE OF USE AND CONVERSION OF FORMER BAKERY WITH RESIDENTIAL ACCOMMODATION AND GARAGING FOR TWO DWELLINGS (RETROSPECTIVE)
PARISH	Potton
WARD	Potton
WARD COUNCILLORS	Cllr D Gurney & Cllr A Lewis
CASE OFFICER	Sam Boyd
DATE REGISTERED	12 May 2009
EXPIRY DATE	07 July 2009
APPLICANT	Connection Builders
AGENT	Phillips Planning Services Ltd
REASON FOR COMMITTEE TO DETERMINE	CLLR REQUEST. CLLR LEWIS REQUEST - REASON OF CONTENTION BEING ONE OF OVERLOOKING WHICH ARE IN THE SAME OWNERSHIP AND WHICH ARE ORIGINAL.
RECOMMENDED DECISION	Refuse

Site Location:

The site is located at 20 and 20a Horslow Street Potton and was formerly a bakery with a residential annexe. The property is part of a row of red brick terraced properties that front the highway and are characteristic of this part of Horslow Street. The former bakery and annexe are located to the north of the site, at the end of the terrace.

The adjoining cottages are under the applicants ownership and have all been recently renovated

The rear of the site the gardens for each property have been screened by 2m boundary walls and fencing. Parking has been provided for each dwelling at the rear of the site accessed via a narrow gap between No. 14 and the adjacent property, The Cross Keys. Beyond the parking areas there is a large area of open space also within the applicants ownership.

The site is within the settlement envelope and the conservation area.

The Application:

Planning permission is sought for conversion of the former bakery into two separate residential units with internal and external alterations.

The application is submitted in retrospect.

Application Background:

This application follows two previous applications on the site which were both refused.

The application to convert the bakery was previously submitted as a separate application under ref No. 08/00028/Full. The former bakery forms the front section of the building and occupies the first and second floors. The proposal to convert this building was refused due to its impact upon the character and appearance of the conservation area, the amenities of the adjacent occupiers and the intensification of use of a dangerous access.

The conversion of the annexe at the rear of the former bakery was also submitted under a separate application ref No. 08/00033/Full. The proposal involved the conversion of the rear section of the bakery, known as 20a, into a three bedroom dwelling with an attached double garage. The application was refused for the same reasons as application 08/00028/Full.

The current submission now incorporates both proposals in one retrospective application.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS 1 Delivering Sustainable Development
- PPS 3 Housing
- PPG 15 Planning and the Historic Environment

Regional Spatial Strategy

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Mid Bedfordshire Local Plan First Review 2005 Policies

DPS6 The Built Environment

DPS10 The Built Environment

CHE11 Conservation Areas

HO6 The Location of New Housing

Supplementary Planning Guidance

Residential Design Guide for Mid Bedfordshire

Planning Obligation Strategy

Planning History

08/00028/Full	Full: Internal and external alterations and change of use of former bakery to residential dwelling (Retrospective) - Refused 04/03/08
08/00033/Full	Full: Change of use of former bakery annexe to residential use.(Retrospective) - Refused 04/03/08

Representations: (Parish & Neighbours)

Potton Town Council	Support with reluctance because of concern at retrospective applications.
Adjacent Occupiers	Two letter received - comments summarised as follows: <ul style="list-style-type: none">• Lack of parking - one per dwelling is not sufficient• Window in front elevation of No. 20 will reduce privacy.• Access not suitable for additional use• Additional use of access with create danger to users of the highway.

Consultations/Publicity responses

Site notice displayed	1/06/09
Advertised	29/05/09

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The effect upon the character and appearance of the Conservation Area
3. The impact on neighbouring amenities
4. Highway issues
5. Planning Obligation Strategy

Considerations

1. The principle of the development

The proposal is within the settlement envelope of Potton therefore in principle the conversion of the buildings into residential accommodation is considered acceptable provided there is no conflict with any other local plan policies.

2. The effect on the character and appearance of the Potton Conservation Area.

No. 20 (the former bakery unit)

The premises formerly consisted of a bakery on the ground floor and a store on the first floor. The bakery has been converted to residential use with the existing windows and doors replaced. The first floor has been divided into three

bedrooms and two bathrooms and the ground floor into an open plan kitchen and lounge.

Overall the standard of the conversion and finish on the buildings is not considered to be of an acceptable standard in a conservation area. However, it is considered that the front and north side elevation of No. 20 fronting Horslow Street and the public footpath to the north, have the greatest impact on the conservation area as these are considered to be the most visible parts of the site within the public realm.

The brick work, in particular the brick type, cement mortar, and pointing does not appear in-keeping with existing areas of original brickwork on the building. There are many areas where this is particularly noticeable, for example, the front elevation to Horslow Street where the contrasting brickwork stands out against the adjoining building, and patches all along the boundary wall with the public footpath to the north. The windows inserted in the front elevation are also considered to be inappropriate, and do not reflect the character and appearance of fenestration in the adjoining buildings and surrounding area.

As a result, the building now stands out within the streetscene and detracts from the character and appearance of the area. By reason of the alterations to the front and north side elevation of No. 20, the proposal is not supported in conservation terms as it is considered to fail to preserve the character and appearance of this part of the conservation area.

No. 20A (the former bakery annexe)

The annexe has been converted into residential use with the existing windows and doors replaced and an extension to the existing garage has been constructed. The accommodation provides a kitchen, lounge and dining room on the ground floor and three bedrooms and a bathroom on the first floor. The garages have been extended in depth by 3m towards the front and an entrance porch has been added to the front elevation.

Whilst it is considered that the alterations are not sympathetic and do not accord with good practice for work in a conservation area this part of the building is located at the rear of the site and therefore not part of the overall street scene therefore it would not harm the character and appearance of the conservation area. As such the alterations to No. 20a are considered acceptable.

Site history

In order to gain approval for access to the rear of the site a visibility splay is required for highway safety reasons. Therefore on the previous applications it was proposed to remove the south west corner of property No 14. This is considered to be an unacceptable way of providing visibility splays, to the detriment of the character and appearance of the conservation area. The applicant has now removed this part of the proposal from the current scheme, however the effect this has on the access arrangements will be discussed in section 4.

Overall it is considered that the alterations to the rear section of the application site, the annexe known as 20a are considered acceptable in terms of visual

impact, however the alterations to the front elevation of the former bakery are considered to be out of keeping with the character of the adjacent dwellings and do not preserve or enhance the character and appearance of the conservation area contrary to the aims of CHE11 and PPG15.

3. The impact on the amenities of the neighbouring properties.

No. 20 (the former bakery unit)

The bakery adjoins the annexe at the rear and is positioned at a right angle to the adjacent dwellings, No.s 18, 16 and 14 Horslow Street.

Due to the layout of the dwelling the kitchen and first floor bedroom windows of the bakery conversion will face directly onto the private amenity space and rear windows of No. 18. Given that all of the adjacent properties have small garden areas the windows will also reduce the privacy of the occupiers of the dwelling at No. 20a. In order to reduce the overlooking the applicant has installed obscure glazing to the bedroom windows, however the windows would need to be fixed shut in order to mitigate the overlooking concerns. This would result in an unacceptable level of amenities for the future occupants of the property and would not comply with Building Regulations.

The close proximity of the windows to the adjacent properties is considered unacceptable and would result in an adverse impact on the neighbouring amenities.

No. 20A (the former bakery annexe)

The annexe adjoins the rear of the former bakery and is positioned at a right angle to this property and the adjacent dwellings in the terrace.

Due to the layout of the dwelling the windows of the annexe will face directly onto the private amenity space of No.s 18 and 20. The existing plans show two bedrooms however there is no relevant planning history therefore the former use of the premises is unclear. The proposal is for three bedrooms and includes the insertion of two new windows at first floor level therefore this intensification results in an unacceptable relationship with the adjacent dwellings resulting in adverse overlooking.

Again obscure glazing has been used as a means of reducing the overlooking impact however this is not considered to be an adequate solution to the problem for the reasons outlined above..

It is considered that the proposal would have an adverse impact upon the amenities of the future occupants of the adjacent dwellings by way of loss of privacy.

4. Highway Issues

To the rear of the site one parking space has been provided for the bakery conversion. A double garage is attached to no. 20a therefore providing two spaces for this property. It is noted on the plans that there are a further four parking spaces for the adjacent properties. This could potentially lead to at least seven cars using this access.

The proposal is almost identical to those previously submitted under reference 08/00028/full and 08/00033/Full. The main difference is the withdrawal of the visibility splay provisions. The site is located on a street subject to a 30mph speed limit therefore in accordance with the Manual for Streets visibility of 2.4m x 43.0m is needed. The actual speed of traffic along Horslow Street is considered to be 15mph therefore the visibility splay can be reduced by some distance.

However even with this allowance the achievable visibility is very substandard therefore no additional use of the access generated by the conversion can be supported on highway safety grounds. Therefore refusal is recommended on these grounds.

5. Planning Obligation Strategy

The formation of two three bedroom residential units in Potton requires contributions towards local infrastructure under the Planning Obligation Strategy and required a Unilateral Undertaking to be submitted with the application. No Unilateral Undertaking has been submitted with the application therefore the proposal is contrary to Supplementary Planning Document: Planning Obligation Strategy (2008)

Conclusion

The proposal would have an adverse impact on the amenities of the adjacent occupiers by way of overlooking and a detrimental effect upon the character and appearance of the Potton Conservation Area. In addition the intensification of the use of a substandard access would lead to vehicular conflicts to the detriment of highway safety. Therefore the proposal is contrary to Policy DPS6 and CHE11 of the Mid Beds Local Plan First Review (2005). Furthermore there no provision has been made for contributions under the Planning Obligation Strategy. As such the application is recommended for refusal.

- 1 The proposed development if permitted would lead to an increase in use of an access that is substandard in its visibility provision leading to vehicular conflicts to the detriment of highway safety; as such the proposal is contrary to Policy HO6 and DPS6 of the Mid Bedfordshire Local Plan (First Review) 2005.
- 2 The application site lies within the Potton Conservation Area and the external alterations proposed would detract from the character and appearance of this part of the Area; as such the proposal is contrary to

PPG15 and Policy CHE11 of the Mid Bedfordshire Local Plan (2005).

- 3 The proposal, by way of loss of privacy and amenity to occupiers of adjacent dwellings, would result in an unacceptable form of development; as such the proposal is contrary to Policies DPS6 and HO6 of the Mid Bedfordshire Local Plan First Review 2005.
- 4 The application contains insufficient information in the form of a legal agreement requiring contributions to local infrastructure; as such the proposal is contrary to Mid Bedfordshire District Council's Adopted Supplementary Planning Document: Planning Obligations Strategy (2008).

DECISION

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