

## Item No. 8

## SCHEDULE A

<b>APPLICATION NUMBER</b>	<b>CB/10/00242/FULL</b>
<b>LOCATION</b>	<b>66 High Street, Henlow, SG16 6AB</b>
<b>PROPOSAL</b>	<b>Full: Part demolition, Change of use and two storey rear extension to form 6no. residential units.</b>
<b>PARISH</b>	<b>Henlow</b>
<b>WARD</b>	<b>Langford and Henlow</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Clarke &amp; Cllr Rogers</b>
<b>CASE OFFICER</b>	<b>Dee Walker</b>
<b>DATE REGISTERED</b>	<b>25 January 2010</b>
<b>EXPIRY DATE</b>	<b>22 March 2010</b>
<b>APPLICANT</b>	<b>Henlow Parish Council</b>
<b>AGENT</b>	<b>Henlow Parish Council</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr Rogers called it to Committee on grounds of local interest and its location within the Conservation Area</b>
<b>RECOMMENDED DECISION</b>	<b>Full Application - Refused</b>

### Site Location:

The application site is located at 66 High Street in Henlow, which is currently used the Henlow Parish Hall. The building is a single storey building with a hall, stage, committee room, kitchen and toilet facilities. The site is located wholly within the settlement envelope as well as within the designated Henlow Conservation Area.

### The Application:

The application seeks permission to convert the building into 6 no. one bedroom residential units. There are a number of external alterations namely the part demolition of the south and east side of the building, insertion of windows in the west and south elevations for the first floor rooms and the removal of a number of windows in the north and east elevation.

This is a revised scheme following a refusal under ref: CB09/05986/FULL on grounds of unacceptable alterations that would clutter and unbalance the appearance of the building; adverse impact on the amenities and privacy of occupiers of nearby residential properties and the omission of a legal agreement in accordance with the Council's Planning Obligations Strategy.

### RELEVANT POLICIES:

#### National Policies (PPG & PPS)

- PPS1 Delivering Sustainable Development (2005)
- PPS 3 Housing (2006)
- PPG15 Planning and the Historic Environment (1994)
- PPG24 Planning and Noise (1994)

## **Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Regional Strategy (March 2005)

## **Bedfordshire Structure Plan 2011**

N/A

## **Central Bedfordshire Core Strategy & Development Management Policies 2009**

Policies CS2, CS14, Central Bedfordshire Core Strategy & Development CS15, DM3 & DM13 Management Policies (2009)

## **Supplementary Planning Guidance**

Design in Central Bedfordshire: A Guide for Development (2009)

Central Bedfordshire Council's Adopted Supplementary Planning Guidance: Planning Obligations Strategy (2008)

## **Planning History**

MB/97/00805

Full: Alterations to front access – Approved 23.07.1997

MB/09/05986

Full: Part demolition and part two-storey rear extension to form 6 no. residential units – Refused 14.09.2009

## **Representations: (Parish & Neighbours)**

Henlow Parish Council  
Adjacent Occupiers

The Parish Council fully supports these applications  
One email received objecting to the proposal on the following grounds:

- unacceptable changes to the external appearance
- overdevelopment of the site;
- buildings out of scale with the surrounding houses;
- loss of pedestrian route;
- creation of hideaway to the detriment of the occupiers;
- density of development adjacent to public house and school;
- possible increase in on street parking to the front;
- intrusive to the privacy and amenity of its neighbours to the south;
- plans fail to consider the points raised in the Henlow Conservation Area review of October 2009;
- proposal exceeds housing target levels recommended at a regional level when calculating an appropriate modal figure.

One letter received setting out a number of objections on the following grounds:

- dwellings unacceptable for habitation by reason of their

- design;
- unacceptable standard of living for future occupants;
- a need remains for this public building;
- removes the historic use of this 'positive' building contributing to the Conservation Area;
- mangling of the architectural integrity of the building is harmful and neither preserves or enhances it;
- financial gain by its sale is an irrelevant planning consideration;
- upper floor windows have not been demonstrated as practicable and any legal obligation is unlikely to be enforceable;
- loss of privacy to the rear of no. 64 remains.

## Consultations/Publicity responses

Henlow VDA	Has a number of objections: <ol style="list-style-type: none"> <li>1. Changes to the west elevation create an unbalanced façade destroying the original character of the building;</li> <li>2. Creating 6 dwellings within these tight boundaries is a significant overdevelopment of the site;</li> <li>3. Proposed dwellings are not to scale with the surroundings and it is questionable how emergency services would gain access;</li> <li>4. Resident parking assumes that the existing parish hall spaces can be relocated to the new occupiers and their visitors; and</li> <li>5. There would be an intrusion on privacy to neighbours on the southerly side. The proposed non-opening of south facing first floor windows being guaranteed apart from emergency via a clause in the deeds would be difficult if not impossible to enforce.</li> </ol>
Public Protection Team	No objections subject to a condition being attached to any consent granted
Highways Team	No objections subject to conditions being attached to any consent granted
Site Notice Posted	03.02.2010
Newspaper Advert	05.02.2010

## Determining Issues

The main considerations of the application are;

1. Principle of development
2. The effect on the character of the conservation area
3. The impact that the proposal will have on the residential amenity of neighbouring properties
4. Any other implications of the proposal

## **Considerations**

### **1. Principle of Development**

The application is for the conversion of a community building into 6 no. residential units. Policy DM3 places emphasis not only on the design of new development but the space around buildings and the features required to make the building function successfully (e.g. parking, garden space). The criteria set out in DM3 is assess further within this report.

All of the proposed units are to be one bedroom with an open plan sitting/kitchen/dining area with bedroom and bathroom to the first floor. The unit to the front of the building would have a separate lounge and kitchen/diner with one bedroom and a bathroom at first floor. Externally, the only amenity space would be to the front of the units (south elevation). As these are one-bedroom units, it is considered that the proposed provision of the amenity areas is acceptable.

The site is located within the settlement envelope and as such the principle of the conversion to residential units is acceptable.

### **2 Effect on the Character and Appearance of the Conservation Area**

The site is located within the Henlow Conservation Area. The parish hall together with some adjoining houses has been identified in the 2009 Henlow Conservation Area Appraisal as 'Positive Buildings'.

The street elevation frontage on the village hall (originally the Vicar's Club Room, 1893) is a local landmark in the High Street, with a clock and bellcote above a rather stern red brick wall with corbelled and recessed panels together with a roof of welsh slate.

The revised scheme has reduced the size of the first floor windows in the front elevation thus retaining the existing ground floor windows as the prominent feature. Although this is still somewhat awkward and unbalanced, it is the best that can be achieved. The number of first floor windows in the south elevation have remained the same but now the windows are fixed shut with obscure glazing. In an attempt to compensate for this loss of outlook, roof lights have been inserted to provide some form of daylight to the bedrooms. The Conservation Team were consulted on the revised scheme and they advise that the application has overcome the design reasons for refusal. It is considered that the overall design of the proposal would preserve the character and appearance of the conservation area.

### **3 Impact of the Proposal on the Residential Amenity of Neighbouring Properties**

The principal properties that may be affected by the proposal are nos. 64 High Street; 31 and 35 Park Lane.

The development introduces 5 no. first floor windows into the south elevation to serve bedroom windows to the individual units. At the closet point, these windows would be within 4 metres of the shared boundary with no. 64 High Street. Due to the positioning of the existing dwelling, the first floor windows to units unit 3, 4, 5 and 6 would face directly onto the rear garden of no. 64.

Furthermore, units 5 and 6 would face directly onto the small rear garden space to no. 31 Park Lane.

The scheme has been revised to try and address this issue by obscure glazing the entire first floor windows in the south elevation and fixing them shut with the ability for them to be opened in the event of an emergency. The revision also introduces roof lights into each unit in an attempt to compensate for the light and outlook lost from the obscurely glazed elevation windows. Although this addresses the issue of overlooking in theory, it results in poor design and inadequate standard of amenities for future occupiers of the dwellings. Furthermore, although the windows will be fixed shut apart from in the event of an emergency, this would be difficult to impose on future owners and impossible to enforce by way of any form of condition to any consent granted. As a result it is considered that there would be a very poor standard of amenities for occupiers that is considered to be unacceptable and contrary to Policy DM3.

It should be noted that the Planning Inspector on a recent appeal made the following comments regarding sole room windows that are obscurely glazed:

*'...such glazing would allow for adequate levels of daylight to these rooms but it would result in an exceptionally poor outlook that would provide an unreasonable standard of accommodation for the occupiers. Consequently it would not be an acceptable means of addressing any overlooking and a condition requiring it to be retained would not be appropriate ..... if obscured glazing were to be in the bedrooms, the proposal would create unsatisfactory living conditions, and if such glazing were not to be used it would result in an unacceptable loss of privacy in the rear amenity area of the neighbouring property...' (Ref: APP/P0240/A/09/2111207 - 20 & 20A Horslow St, Potton)*

The Inspector concluded that the proposal would create unreasonable living conditions for residents.

The proposed rear extension will extend out towards the parking area and will be of a two storey nature. Given its location towards the northern boundary of the site, it is not considered that it will have any adverse impact on the residential amenity to neighbouring properties.

#### **4 Any Other Implications**

The Public Protection Team was consulted on the revised proposal. They note that the redesign on unit 1 for noise mitigation is acceptable but they will require the submission of a scheme specifying the sound insulation technique and materials to be used along with validation of their implementation as part of a condition. They therefore suggest an appropriate condition be attached to any consent granted.

The Highways Team were consulted on the proposal and made the following comments. The existing access will be taken from Park Lane and this will not alter, although visibility from the access is extremely poor due to the site abutting the carriageway, the neighbouring properties boundary wall and where vehicles park within the site. The visibility can be increased to 8.0m with the indicated visibility splay. Park Lane is a one way road from south to north with vehicle speeds being reduced due to the on street parking and the narrowness of the carriageway. The traffic generation from the hall and the proposal are

comparable, considering only 8 vehicles can park on site at one time. They realise the use of the hall would be outside off peak times however parents from the school opposite use the car park to pick up and drop off their children at peak times thus making traffic generation like for like.

Following the adoption of the Planning Obligations Strategy SPD on 20 February 2008, the SPD provides a mechanism to ensure that smaller-scale development can fairly and reasonably contribute towards new infrastructure and facilities. The Council requires either a Unilateral Undertaking or an agreement under S106 of the Town and Country Planning Act 1990 be submitted with the planning application.

This application was submitted on 25 January 2010 and as such the proposal would attract Planning Obligations. A legal agreement was submitted with the application but due to the provision for affordable housing within the scheme, a revised template is required. To date this is with the legal team and should be available shortly. Should the completed legal agreement not be submitted prior to the Committee date then an additional reason for refusal will be entered onto the late sheet.

### **Reasons for Refusing**

The proposal, by reason of its design and siting, particularly the fenestration for the bedrooms would result in an unacceptable standard of accommodation for future occupiers; as such it is contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009; Planning Policy Statement 1 (2005) and Planning Policy Statement 3 (2006). It is therefore considered **unacceptable** and that planning permission should be refused.

### **RECOMMENDATION**

REFUSE Planning Permission for the application set out above on the following reason(s):

- 1 The proposed development, by reason of its design and siting, particularly the fenestration for the bedrooms would result in an unacceptable standard of accommodation for future occupiers; as such the proposal is contrary to Policy DM3 of the Adopted Core Strategy and Development Management Policies 2009, Planning Policy Statement 1 (2005) and Planning Policy Statement 3 (2006).

### **DECISION**

.....  
.....