

Item No. 9

APPLICATION NUMBER	CB/15/00239/FULL
LOCATION	The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT
PROPOSAL	Change of use from residential home for the elderly to domestic dwelling.
PARISH	Eaton Bray
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Mrs Mustoe
CASE OFFICER	Nicola Darcy
DATE REGISTERED	21 January 2015
EXPIRY DATE	18 March 2015
APPLICANT	Mr K Janes
AGENT	Mr CA Emmer
REASON FOR COMMITTEE TO DETERMINE	Applicant is a Ward Member
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

The conversion of the residential care home to a domestic residential dwelling is accepted in principle. The proposal would complement and harmonise with its surroundings and would not have a detrimental impact on the openness of the Green Belt or amenity of surrounding residents and would have an acceptable impact on the surrounding highway network. The proposal is therefore considered to be in accordance with the National Planning Policy Framework, Policies BE8, T10 and NE12 of the South Bedfordshire Local Plan Review, policies 1, 2, 3, 27, 31, 36, 43, 50 and 52 of the emerging Development Strategy and the Central Bedfordshire Design Guide.

Site Location:

The Paddocks comprises a two-storey building in use as a residential care home.

The original property was built as an agricultural dwelling in 1987 with an agricultural tie. In November 1997 planning permission was granted for the change of use of the property to a residential care home. The rest of the land to the south west of the principal buildings is shown on the plans submitted with the application as paddock land and a builder's yard.

The Application:

Permission is sought for the change of use of the existing residential care home to a four bedroom residential dwelling with associated off-street parking for at least four vehicles and a residential garden area.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced most of the previous national planning policy documents, PPGs and PPSs. The following sections are considered directly relevant:

- Section 1: Building a strong, competitive economy
- Section 6: Delivering a wide choice of quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 9: Protecting Green Belt Land

South Bedfordshire Local Plan Review Policies

- BE8 - Design Considerations
- T10 - Parking - New Development
- NE12 - Reuse of Rural Buildings

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policy BE8 is still given significant weight. T10 and NE12 are afforded less weight.)

Development Strategy for Central Bedfordshire

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Growth Strategy
- Policy 3: Green Belt
- Policy 27: Car Parking
- Policy 31: Supporting an Ageing Population
- Policy 36: Development In the Green Belt
- Policy 43: High Quality Development
- Policy 50: Development In the Countryside
- Policy 52: Re-use of Buildings in The Countryside

(Having regard to the National Planning Policy Framework, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State in October 2014.)

Supplementary Planning Guidance

Central Bedfordshire Council Design Guide (adopted March 2014)

Planning History

Case Reference	SB/06/01187/LDCE
Location	Land Rear Of The Paddocks, Springfield Road, Eaton Bray
Proposal	Continued use of outbuilding as builders workshop and yard
Decision	Application Disposed Of

Decision Date	27/02/2012
Case Reference	CB/11/01430/FULL
Location	The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT
Proposal	Change of use from builders yard to all weather riding arena and construction of stables
Decision	Full Application - Granted
Decision Date	24/06/2011
Case Reference	SB/09/00008/FULL
Location	The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT
Proposal	Erection of single storey side extension to care home
Decision	Full Application - Refused
Decision Date	30/04/2009
Case Reference	SB/05/01149
Location	The Paddocks, Springfield Road, Eaton Bray, LU6 2JT
Proposal	Erection of single storey side extension to residential home providing 4 no. bed spaces with wc facilities
Decision	Full Application - Refused
Decision Date	16/12/2005
Case Reference	SB/05/00103
Location	The Paddocks, Springfield Road, Eaton Bray, Dunstable, LU6 2JT
Proposal	Continued use of part of outbuilding as office, laundry and stores and retention of covered link
Decision	Full Application - Granted
Decision Date	17/03/2005
Case Reference	SB/02/00228
Location	The Paddocks Residential Care Home, The Paddocks, Springfield Road, Wellhead, Eaton Bray.
Proposal	Erection of single storey side extension to provide 6 additional bedrooms to residential care home
Decision	Full Application - Refused
Decision Date	24/07/2002
Appeal Decision Date	25/07/2003
Appeal Decision	Planning Appeal Dismissed
Case Reference	SB/99/00343
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Erection of side conservatory
Decision	Full Application - Granted
Decision Date	04/08/1999
Case Reference	SB/98/00206
Location	The Paddocks, Springfield Road, Wellhead, Eaton Bray.
Proposal	Erection of two storey side extension to house, lift shaft and motor room
Decision	Full Application - Granted
Decision Date	23/04/1998
Case Reference	SB/97/00772
Location	The Paddocks, Springfield Road, Wellhead, Eaton Bray.
Proposal	Change of use from agricultural dwelling to residential care home

	with associated parking
Decision	Full Application - Granted
Decision Date	26/11/1997

Case Reference	SB/96/00766
Location	The Paddocks, Springfield Road, Wellhead, Eaton Bray.
Proposal	Change of use from agricultural dwelling to residential care home with associated parking
Decision	Full Application - Refused
Decision Date	15/01/1997

Case Reference	SB/96/00663
Location	The Paddocks, Springfield Road, Wellhead, Eaton Bray.
Proposal	Levelling and landscaping part of rear paddock
Decision	Full Application - Granted
Decision Date	23/10/1996

Case Reference	SB/95/00002
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Change of use from agricultural dwelling to residential elderly care home with access and parking
Decision	Full Application - Refused
Decision Date	21/02/1995

Case Reference	SB/94/00111
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Change of use from agricultural dwelling to residential elderly care home with associated parking
Decision	Full Application - Refused
Decision Date	12/04/1994

Case Reference	SB/91/00168
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Change of use from residential to part bed and breakfast accommodation
Decision	Full Application - Refused
Decision Date	10/04/1991

Case Reference	SB/87/01149/RM
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Erection of detached chalet bungalow
Decision	Reserved Matters- Granted
Decision Date	04/11/1987

Case Reference	SB/87/00318
Location	The Paddocks, Springfield Road, Eaton Bray.
Proposal	Erection of detached bungalow (outline)
Decision	Full Application - Granted
Decision Date	08/07/1987

**Representations:
(Parish & Neighbours)**

None received at the time of writing this report.

Consultations/Publicity responses

None received at the time of writing this report.

Determining Issues

The main considerations of the application are:

- 1. Background**
- 2. Impact on the Openness of the Green Belt**
- 3. Design Considerations**
- 4. Impact on the Local Residential Amenity**
- 5. Highway Safety Considerations**
- 6. Other Issues**

Considerations

1. Background

The applicant no longer wishes to continue to provide an elderly care home but will still continue to use part of the site and adjoining buildings commercially for a building workshop and uses associated with the continuation of the care home business, off-site.

Policy 31 of the Development Strategy deals with the provision of care for the elderly, the loss of the care home is not considered to be contrary to policy and the impact of the loss of a care home upon care provision throughout the authority's area is not considered to be within the control of the planning authority.

2. Impact on the Openness of the Green Belt

The site is located within the Green Belt, so the application must be assessed carefully against the Section 9 of the National Planning Policy Framework (NPPF) and policy 36 of the emerging Development Strategy for Central Bedfordshire. These policies both set out a list of forms of development which are not considered to be inappropriate within the Green Belt, providing that they preserve the openness of the Green Belt; included within this list is the reuse of buildings of substantial and permanent construction. The building in question is an existing residential care home for the elderly, as such, is of substantial and permanent construction, it is therefore considered that in principle the change of use of the care home would not result in inappropriate development within the Green Belt.

National advice is clear that in giving consideration to proposals on previously developed land, Local Planning Authorities should have regard to whether or not the new development would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Therefore the curtilage of the dwellinghouse and the use of the associated land with the building would need to not compromise the openness of the Green Belt.

The application site is located in a residential location, with the properties of Springfield Road to the north of the site, the proposed garden area would be closest to the residential character of the location, rather than the open countryside, therefore the provision of a modest garden area adjacent to an existing paddock is not considered to adversely impact on the openness of the Green Belt. The curtilage of the proposed new property as defined by the red outline, is no larger than necessary as it encompasses only the requirements of the new dwelling in terms of adequate garden space and parking requirements. As the original building has already been extended and in order to ensure that the proposal would not result in a further impact on the character and openness of the Green Belt in the future, permitted development rights will be removed for any further extensions and as per condition 3.

Policy NE12 of the South Bedfordshire Local Plan Review and policy 52 of the emerging Development Strategy for Central Bedfordshire address the re-use of buildings within the countryside. NE12 only permits the conversion of rural buildings for residential purposes in very specific circumstances, however, the care home was originally a domestic residential dwelling and as such, the policy would not be relevant in this instance. In any case, policy NE12 is not considered to conform with the policies within the NPPF and therefore is given little weight. Policy 52 of the Development Strategy for Central Bedfordshire is considered to conform with the policies within the NPPF and is therefore given more weight. Policy 52 encourages the re-use of existing buildings in the countryside, providing that the conversion would be sympathetic and in keeping with the character of the rural surroundings. The building's current use is as a residential care home for the elderly, therefore it is considered that the proposal would conform with policy 52 of the Development Strategy for Central Bedfordshire.

3. Design Considerations

Local Plan Policy BE8 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

Design Supplement 1 of the Central Bedfordshire Design guide states that proposals should be visually distinctive and should be designed as a sensitive response to the site and its setting.

Only two external alterations are proposed to the building, the addition of a new window on the rear elevation to serve an ensuite bathroom and the replacement of a window to bi-fold doors, also on the rear elevation. On this basis, the proposal is considered to conform with policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire.

4. Impact on the Local Residential Amenity

The conversion of this existing care home to a domestic residential dwelling

would likely improve the amenity of nearby residents by reducing the activity associated with such a use, therefore the change of use would conform with policy BE8 of the South Bedfordshire Local Plan Review and policy 43 of the emerging Development Strategy for Central Bedfordshire.

5. Highway Safety Considerations

The existing access is proposed to be used for the proposed new residential unit, the number of vehicle movements would be significantly reduced compared with the care home use, therefore there would be a material benefit to the safety of the access as a result of the domestic conversion.

The site can accommodate at least four parking spaces associated with the domestic dwelling, which is sufficient to provide adequate off road parking for residents and visitors and in accordance within the Councils Parking Standards and therefore it is considered that the application would conform with policy T10 of the South Bedfordshire Local Plan Review and policies 27 and 43 of the emerging Development Strategy.

6. Other Issues

Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no issues under the Equality Act.

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 residential curtilage of the proposed dwellinghouse is defined only by the extent of the red outline shown on approved drawing No. 2015/01 01 03 received 16/02/14.

Reason: To limit the extent of the residentially used land having regard to the rural Green Belt location of the site and the need to protect the visual amenities and openness of the Green Belt.
(Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting

that Order with or without modification), no extensions to the building hereby permitted to be converted shall be carried out without the grant of further specific permission from the Local Planning Authority.

Reason: To control the external appearance of the building in the interests of the amenities of the area and to protect the openness of the Green Belt. (Policies BE8 S.B.L.P.R and 36 & 43 D.S.C.B).

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2015/01 01 03 received 16/02/15, 2015/01 01 01 & 2015/01 01 02.

Reason: To identify the approved plans and to avoid doubt.

Notes to Applicant

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
2. 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) (Amendment No. 2) Order 2012 - Article 31

Planning permission has been recommended for approval for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. 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) (Amendment No. 2) Order 2012.

DECISION

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