

Application Number: 17/00351/FUL

Change of use from a residential dwelling (use class C3) to a house in multiple occupancy (use class C4) with 5 lettable rooms

AT 44 Columbia Place, Campbell Park, Milton Keynes

FOR Mr Robert Csati

Target: 6th April 2017

Extension of time: 24th July 2017

Ward: Campbell Park And Old
Woughton

Parish: Central Milton Keynes Town
Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The main body of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public access system www.milton-keynes.gov.uk/publicaccess. All matters have been taken into account in writing this report and recommendation.

1.2 Reason for Referral to Development Control Panel

This application is referred to the Development Control Panel for determination due to an objection from the Parish Council and the number of objections from neighbouring properties.

1.3 The Site

The application site contains a three storey terrace dwelling located on Columbia Place within Campbell Park. The row of terraces along with apartment blocks, create a u-shaped complex with an internal courtyard. To the north west of the site is the attached property, No.42 Columbia Place which is also a three storey dwelling. To the south west is No.46 Columbia Place which, again, is a three storey dwelling. Within the local area there are other apartment and terrace dwelling complexes.

1.2 The Proposal

The application seeks permission for a change of use from a residential dwelling (use class C3) to a house in multiple occupancy (use class C4) with 5 lettable rooms.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework 2012

Section 7: Requiring Good Design

2.2 Local Policy

Milton Keynes Core Strategy 2013

Policy CS 10: Housing

Policy CS 13: Ensuring High Quality, Well Designed Places.

Adopted Milton Keynes Local Plan 2001-2011

D1: Impact of Proposals on Locality

T15: Parking Provision

H10: Subdivision of dwellings and houses in multiple occupation

2.3 Supplementary Planning Documents

Houses in Multiple Occupation Adopted SPD (2012)

New Residential Development Design Guide (2012)

Milton Keynes Parking Standards SPD (2016)

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

3.1 Principle of Development

3.2 Impact of development on character and appearance of area

3.3 Impact on neighbouring properties

3.4 Impact on Parking Provision

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

4.1 It is recommended that planning permission be granted subject to the conditions set out at the end of this report.

5.0 CONSIDERATIONS

(An explanation of the main issues that have led to the officer Recommendation)

5.1 The proposed development would fall under Saved Policy H10 of the Milton Keynes Local Plan 2001-2011 which allows for the creation of Houses in Multiple Occupation subject to an assessment against a set of 4 criteria. The principle of residential development on the site is acceptable, subject to assessment against these 4 criteria, which follows below.

5.2 Bedrooms vs Occupants

As part of this application, no information has been provided by the applicant in regard to the number of occupants within the proposed House in Multiple Occupation. The submitted plans show five lettable rooms. This application is for Change of Use to Use Class C4, which is restricted to the use of a dwellinghouse by not more than six residents as a HiMO. Any application seeking to accommodate more than six residents would need to apply for a change of use to sui generis rather than Use Class C4. It is considered appropriate to impose a condition, restricting the number of lettable rooms to ensure that the intensity of the proposed use does not impact upon the amenities of adjoining occupiers.

5.3 Impact of development on character and appearance of area, impact on neighbouring properties and impact on parking provision

Saved Policy H10 of the Milton Keynes Local Plan 2001-2011 allows for the creation of Houses in Multiple Occupation providing the following criteria are satisfied:

“(i) Effective measures are proposed to minimise the effects of noise and disturbance

(ii) Off street parking provision and manoeuvring space is provided to meet the Councils standards, or if on-street parking is necessary, it would not result in unacceptable congestion in the surrounding area

(iii) Adequate outdoor space is available for bin storage and a drying area

(iv) The proposal would not adversely affect the character of the surrounding area or lead to unacceptable concentration of flats or houses in multiple occupation within the area”

5.4 i) Noise Mitigation Measures

No noise mitigation measures have been submitted as part of this application to demonstrate what measures are proposed to minimise the effects of noise and disturbance due to the transference of noise between internal walls to other tenants and between the ground floor and the first floor. An Environmental Health Officer has been consulted on this application and no objections have been received to the proposed change of use.

5.5 In accordance with the Houses in Multiple Occupation, 2012, Supplementary Planning Document and to ensure the proposed development satisfies saved policy H10(i) of the Milton Keynes Local Plan 2001-2011 it is recommended a condition is imposed if planning permission were to be granted requiring the applicant to submit details in regard to noise mitigation measures.

5.6 (ii) Parking Provision

In addition to saved policy H10 (ii) of Milton Keynes Local Plan 2001-2011, Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 is also applicable and seeks to ensure development proposals meet vehicle parking requirements as laid out in the Parking Standards Supplementary Planning Document 2016 (SPD). The policy states:

“Development proposals should meet the following vehicle parking requirements:

ii) On-site parking should not be reduced below the maximum standard if it would be likely to result in off-site parking causing problems that cannot be resolved by on-street parking controls.”

5.7 The application site is located within Parking Zone A of the Parking Standards, 2016 Supplementary Planning Document (SPD). For a five bedroom house in multiple occupation there is a requirement for three, independently accessible, allocated parking spaces to be provided. This requirement is also reflected in the Houses in Multiple Occupation, 2012 (SPD). The submitted plans show one allocated parking space associated with the property located in the underground car park which results in a shortfall of 2 allocated spaces for the proposed HiMO.

5.8 It is acknowledged that the highways engineer noted some existing parking issues within the local area, as highlighted by the third party representations received. Whilst undertaking a site visit it was noted that, whilst there are some parking issues within the local area, there are also underutilised areas of parking which are slightly further from the application site but still within walking distance. The applicant has submitted supporting information, in the form of an informal parking survey, which outlined that spaces are available both at weekends and weekdays (in the day and evening).

5.9 The application site is located in close proximity to Central Milton Keynes which has good access to public transport including buses and trains as well as facilities such as supermarkets and other retail and leisure facilities. Given the close proximity to Central Milton Keynes, these facilities are within walking distance to the application site. This is considered to be a sustainable location in terms of access to alternative modes of transport to private vehicles and as such, in this instance, a shortfall in the parking provision is considered to be acceptable.

5.10 (iii) Outdoor Space and Adequate Bin Storage

Saved policy H10 of the Milton Keynes Local Plan 2001-2011 requires adequate outdoor space and bin storage to be provided for all Houses in Multiple Occupation. The Houses in Multiple Occupation, Supplementary Planning Document, 2012, states *“15 square metres of storage space should be provided, as part of the change of use to a HiMO, for drying area and storage of the following waste receptacles:*

- *1 black sack per bedroom*
- *1 pink recycling sack per bedroom*
- *1 blue recycling box per 3 bedrooms*
- *1 x 240 litre green bin for food and garden waste per 6 bedrooms”*

5.11 The application site contains a small courtyard area accessed from the kitchen, along with private balconies for bedrooms 1, 2 & 3 which add up to a total of approximately 25m². Whilst it is noted that the application site uses a shared facility for rubbish. This shared facility is located in the basement of the complex with rubbish shuts in the communal garden to the rear of the application site; the facilities are maintained by a management company. As such, the outdoor space is considered sufficient to be able to accommodate a drying facility as well as potential for rubbish storage before being brought to the communal facility. Third party representations received outline that the rubbish facilities can struggle with the volume of waste generated. It is considered that a 5 bedroom HiMO is unlikely to generate a significantly higher amount of rubbish that would adversely affect the existing arrangements. The maintenance and management of the shared rubbish facility is a matter for the management company of the complex.

5.12 (iv) concentration of flats or houses in multiple occupation within the area

The Houses in Multiple Occupation SPD requires the concentration of Houses in Multiple Occupation and one bedroom flats in an area do not exceed 35%. The proposal for four lettable rooms would lead to a concentration of 23% which is below the required threshold. It is considered that the proposed House in Multiple Occupation would not therefore lead to an over-concentration of Houses in Multiple Occupation to the detriment of the character and appearance of the area.

5.13 Third party representations were received which raised comments regarding the permission of this application setting a precedent for other HiMO application in the local area. The concentration threshold of one bedrooms flats and HiMO's is designed to ensure that there is not a proliferation of HiMO's in a local area. Each application is determined upon its own merits and requires a concentration calculation to be undertaken.

5.14 The proposed scheme is therefore considered to comply with Saved Policy H10 (iii) of the Milton Keynes Local Plan 2001-2011.

5.15 Sandwiching

As outlined in section 4.35 of the Houses in Multiple Occupation SPD (2012) “a non-sandwiching approach will be applied to prevent any one property (HiMO or non- HiMO) being ‘sandwiched’ between two houses in multiple occupation. This will reduce the local impacts on neighbouring properties and will also prevent an over concentration at the localised level”. As there are no other houses in multiple occupations in the 50 metre radius of the application site there is not considered to be any concerns regarding sandwiching.

5.16 Cycle Parking

Within the Parking Standards SPD (2016) there is a requirement of one cycle space per two bedrooms. With this in mind, 3 cycle parking spaces would be required. The submitted plans show cycle provisions in a lockable bike shed located in the rear courtyard of the application site. As such, it is considered that the cycle parking provision is acceptable.

5.17 Conclusion

In conclusion, it is considered that the proposal meets the four requirements of Policy H10 in terms of noise mitigation, parking, outdoor space and concentration. The proposal is also considered to meet the requirements of the Houses in Multiple Occupation SPD (2012).

6.0 CONDITIONS

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. The property shall not be operated with more than 5 lettable rooms at any time.

Reason: To control future intensification of the application property.

3. Prior to commencement, details of the noise mitigation measures for the approved scheme shall be submitted to and approved, in writing, by the local planning authority. The approved mitigation measures shall be fully implemented prior to the first occupation of the use hereby permitted and shall thereafter be maintained and retained as approved.

Reason: To ensure the development does not adversely affect the amenity of future occupiers.

4. Prior to occupation, the cycle storage shown on the approved drawings shall be provided and be retained thereafter.

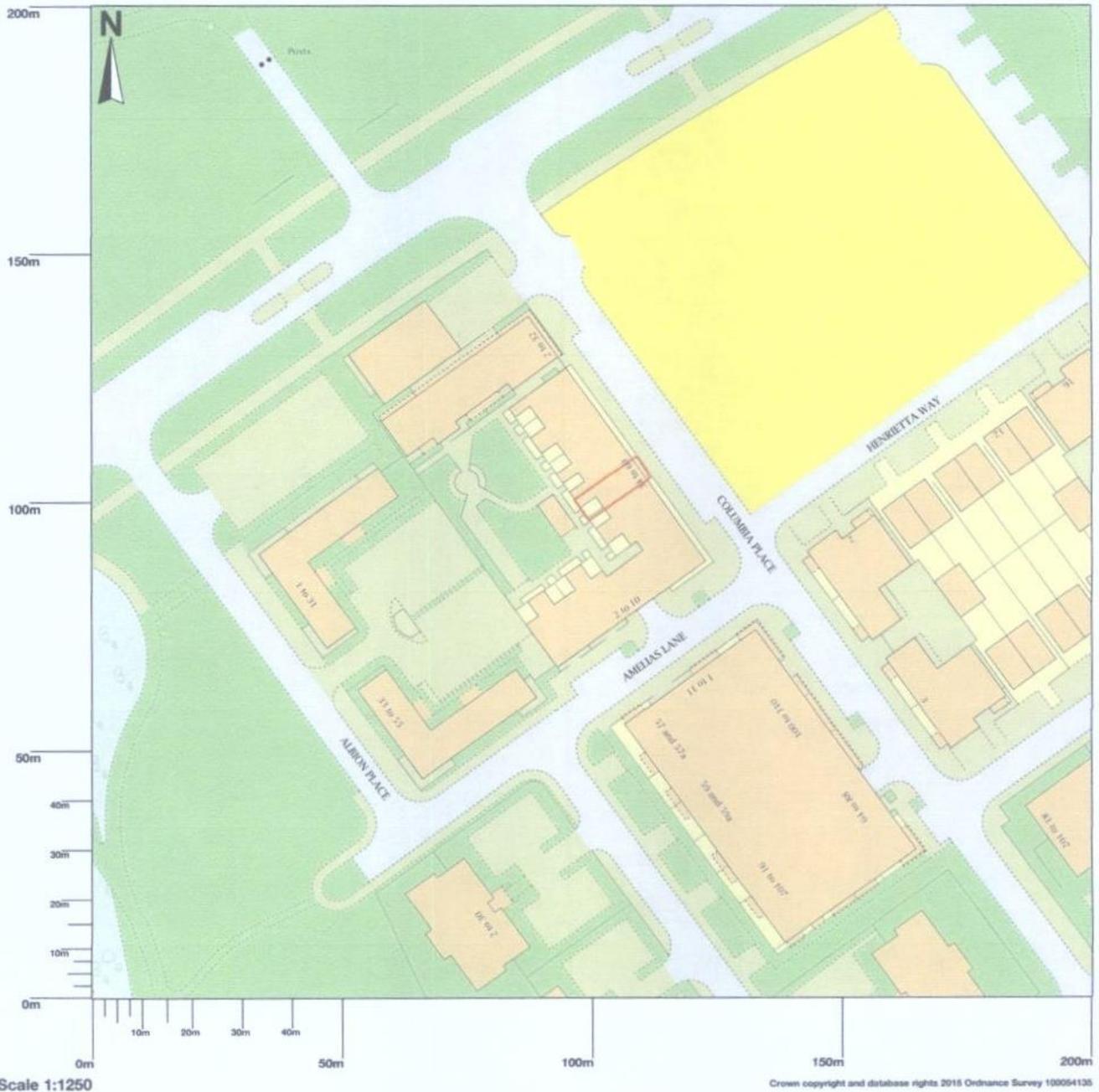
Reason: To ensure satisfactory facilities and to prevent harm to the amenities of the area to comply with the Parking Standards, 2016, Supplementary Planning Document.

5. Prior to occupation, the drying area for the household shown in the approved drawings shall be provided and be retained thereafter.

Reason: To ensure satisfactory facilities and to prevent harm to the amenities of the area to comply with saved policy H10 (iii) of the Milton Keynes Local Plan 2001-2011.



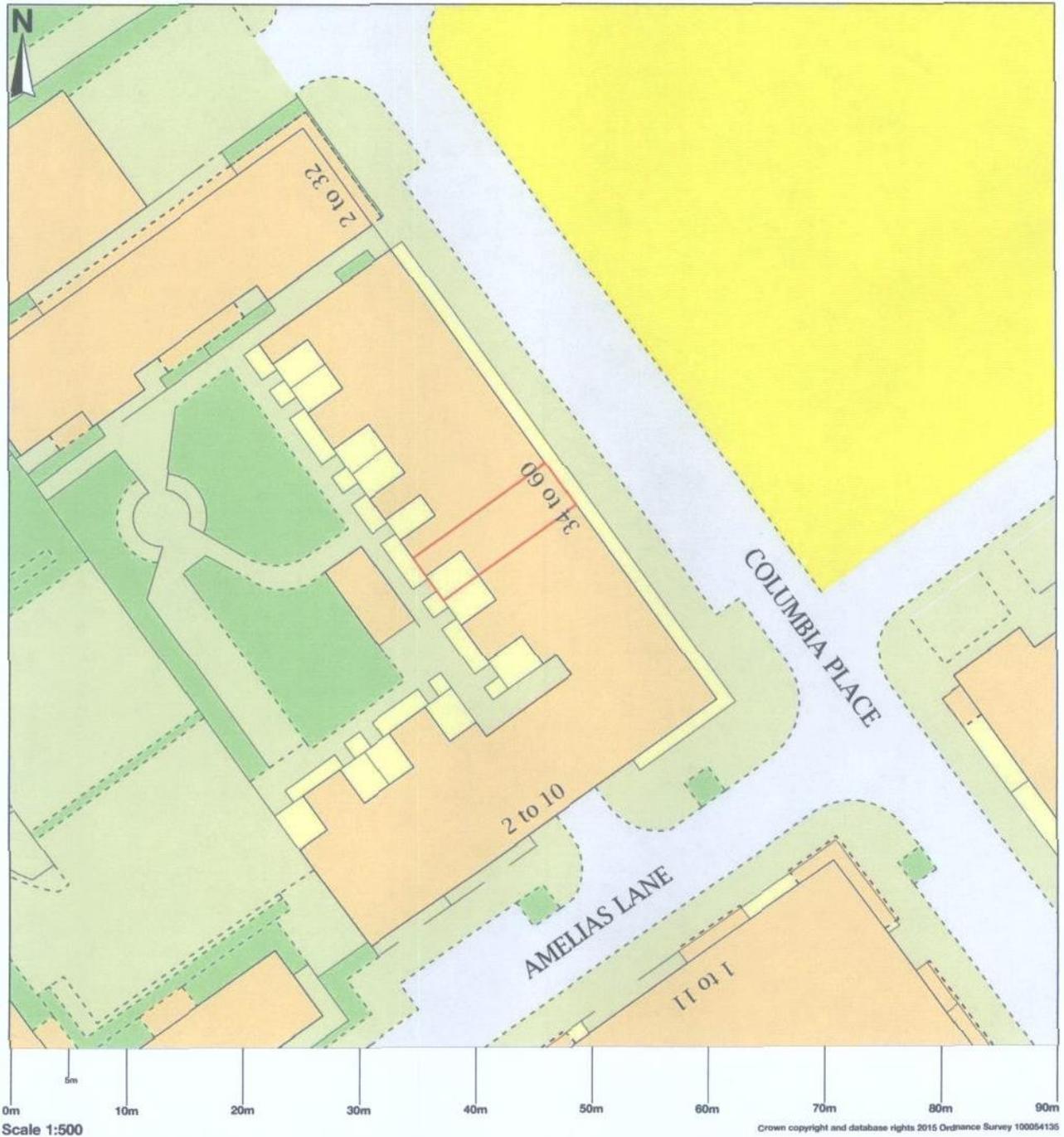
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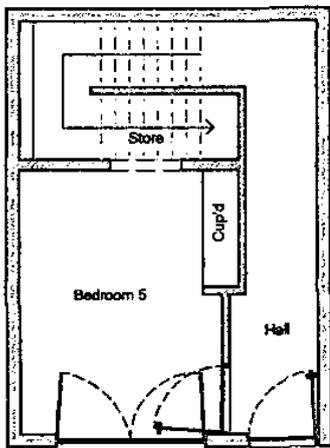
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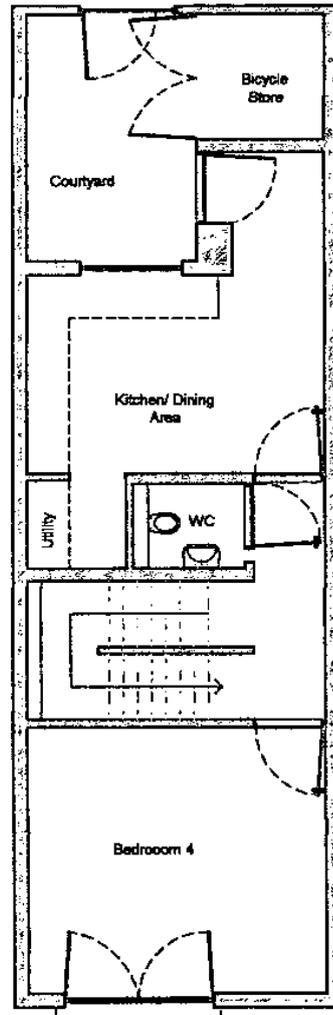
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Basement / Ground Floor



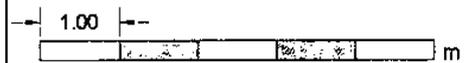
Podium

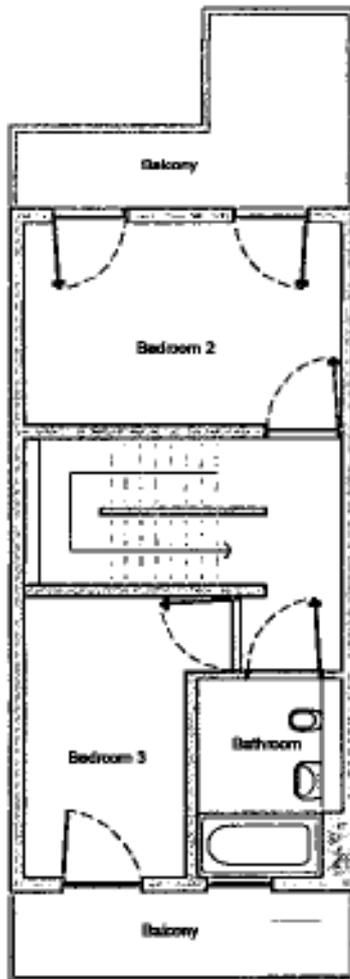
Columbia Place Bronze Court
House 44 Plot 22

Scale: 1 :100

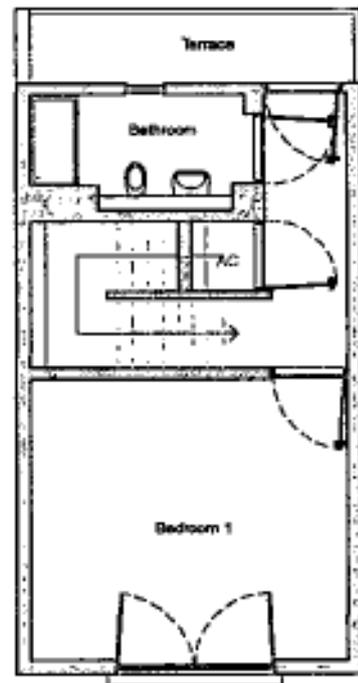
Proposed Layout

Basement / G. Floor
and Podium





First Floor



Second Floor

Columbia Place Bronze Court
House 44 Plot 22

Proposed Layout

First Floor and
Second Floor

Scale: 1 :100



Appendix to 17/00351/FUL

A1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 None

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 None

A3.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments	Officer Response
A3.1 Parish - Central Milton Keynes (Objection)	
The area is a high density development with Phase III nearing completion. Harm created in terms of:	
<ul style="list-style-type: none">• Parking – Already pressure in the area, lack of allocated parking	Noted and discussed in paragraph 5.6 – 5.9
<ul style="list-style-type: none">• Rubbish – Communal rubbish facilities are replied upon	Noted and discussed in paragraph 5.11
<ul style="list-style-type: none">• Noise	Noted and discussed in paragraph 5.4 – 5.5
Site visit requested	Noted, a site visit will be organised.
A3.2 Ward - Campbell Park And Old Woughton - Cllr Brackenbury (No comments received)	Noted
A3.3 Ward - Campbell Park And Old Woughton - Cllr McDonald (No comments received)	Noted
A3.4 Ward - Campbell Park And Old Woughton - Cllr McCall (No comments received)	Noted

A3.5 Highways Development Control
(Objection)

Noted and discussed in paragraph 5.6 – 5.9

A site visit was undertaken in the day and in the evening; the day time visit may not be representative due to construction vehicles being present.

Parking issues were noted in some areas whilst other areas were noted as being lightly used. Drivers usually seek to park as close as possible to a property possible even if it result in inappropriate parked and other safer spaces exist close by.

The proposed parking would have a shortfall of 2 parking spaces.

Although an objection was raised, the Highways Engineer noted that this was finely balanced.

A3.6 Environmental Health Manager
(No objection)

Noted

A3.7 **Local Residents**

Noted

The occupiers of the following properties were notified of the application:

Flat 1, 11,21 & 31 Keys Court, 1 Henrietta Way

Flat 3 ,7 ,11 & 13 Lawers Court, 1 Columbia Place

2 ,4, 6, 8 & 10 Amelias Lane Campbell Park Milton Keynes

34, 36, 38, 40, 42, 46, 48, 50, 52, 54, 56, 58 & 60 Columbia Place Campbell Park Milton Keynes

- A3.8 Eight third party representation were received from neighbouring residents on the grounds of:
- Parking – Existing issues which the shortfall would exacerbate Noted and discussed in paragraph 5.6- 5.9
- A3.9
- Noise – Additional residents will create additional noise Noted and discussed in paragraph 5.4 – 5.5
- A3.10
- Waste – Shared facilities will be affected Noted and discussed in paragraph 5.11
- A3.11
- A HiMO will adversely affect the character of the area Noted and discussed in paragraph 5.12