

Application Number: 17/00185/FUL

Change of use of first floor from a Working Men's Club (sui generis) to house in multiple occupancy (sui generis) with the conversion of the first floor to 4 lettable bedrooms with associated facilities

AT 6 Western Road, Wolverton, Milton Keynes

FOR Mr Bolah Cleveland

Target: 3rd April 2017

Extension of time: 24th July 2017

Ward: Wolverton

Parish: Wolverton & Greenleys Town Council

Report Author/Case Officer: Matthew Pearce

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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 the number of objections from neighbouring properties.

1.3 The application was previously deferred from the June Panel due to an issue with the ownership certificate of the application. This has now been rectified and the relevant interested parties have been served notice.

1.4 The Site

The application site contains a working men's club located on the corner of Western Road and Peel Road. The building is set over two floors with a bar and darts hall on ground floor level and an office, storage room and function hall on first floor level. There is a small parking courtyard to the rear of the

building accessed from Peel Road. To the north of the application site is an alleyway and No.63 Peel Road beyond. To the east are No's. 106-114 (Even) Windsor Street, the rear elevations of these properties face the application site.

1.5 The Proposal

The application seeks permission for a change of use of the first floor from a Working Men's Club (sui generis) to house in multiple occupancy (sui generis) with the conversion of the first floor to 4 lettable bedrooms with associated facilities.

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.

Milton Keynes Local Plan (2001- 2011)

D1: Impact of Proposals on Locality

T15: Parking Provision

H10: Subdivision of dwellings and houses in multiple occupation

HE6: Conservation Areas

2.3 Supplementary Planning Documents

Houses in Multiple Occupation Adopted (2012)

Milton Keynes Parking standards (2016)

3.0 MAIN ISSUES

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

- 3.1 - Principle of Development
- Impact of development on character
- Impact on character and appearance of Conservation Area
- Impact on neighbouring properties

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 in section 6.0 of this report.

5.0 CONSIDERATIONS

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

5.1 Principle of Development

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. It is considered appropriate to impose a condition on any permission, restricting the number of lettable rooms to ensure that the intensity of the proposed use does not impact upon the amenities of adjoining occupiers.

5.2 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”

5.3 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.

- 5.4 A third party representation raised comments that all details of the noise mitigation measures should be submitted before the application is determined. It is considered acceptable that a condition be imposed relating to noise mitigation measures to be submitted. If the details are not considered to be acceptable, the condition will not be discharged and amended details will be required.
- 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 B of the Parking Standards, 2016 Supplementary Planning Document (SPD). For a four bedroom house in multiple occupation there is a requirement for four, independently accessible, on-plot parking spaces to be provided. This requirement is also reflected in the Houses in Multiple Occupation, 2012 (SPD). The submitted plans show four independently accessible, on-plot parking spaces to the rear of the building in the parking courtyard accessed from Peel Road. The proposed change of use is considered to be supported by adequate parking provision.
- 5.8 Currently the club does not benefit from any on plot parking for members of the club and therefore results in on street parking in addition to that associated with the surrounding residential properties. The scheme for the proposed change of use of the first floor would result in a reduction in the use of the club, specifically the function hall on the first floor. As a result, the proposal would result in a lower parking requirement for the club. Whilst this is the case, the use of the function hall, and therefore the parking requirements, is likely to be sporadic compared to the use and frequency of the parking for the lettable rooms. The majority of visits to the working men’s club are however likely to be from a localised area, within Wolverton, and as such are walking distance. During events held at the club there may be a higher number of taxis and drop offs in the local area but this is likely to

reduce as a result of the loss of the function hall. On balance, as the lettable rooms will have allocated on-plot parking spaces it is considered that the proposal for four lettable rooms is unlikely to create such a high level of additional parking that it would impact on the highways in the surrounding area.

5.9 For Houses in Multiple Occupation (Use Class C4), there is no requirement within the Parking Standards, Supplementary Planning Document, 2016 for visitor parking spaces to be provided.

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 waster per 6 bedrooms”*

5.11 The 15 square metres is required in total for the outdoor space and bin storage and does not provide individual requirements for each element. The submitted plans show the bin storage to be located within the rear parking courtyard which measures 8.3sqm, and a roof terrace which measures 32sqm. The proposal therefore provides a greater amount of outdoor space than required. With this in mind, the applicant has demonstrated that there is sufficient space within the site to meet the drying and bin storage requirements. To ensure these facilities are provided it is recommended that if planning permission were to be granted, conditions are imposed requiring the shown facilities to be provided and retained thereafter.

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

The Houses in Multiple Occupation Supplementary Planning Document 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 approximately 12% which is significantly below the 35% threshold. It is considered that the proposed House in Multiple Occupation would not lead to an over-concentration of Houses in Multiple Occupation to the detriment of the character and appearance of the area.

5.13 The proposed scheme would accord with Saved Policy H10 (iv) of the Milton Keynes Local Plan 2001-2011.

5.14 **Sandwiching**

As outlined in section 4.35 of the Houses in Multiple Occupation Supplementary Planning Document, 2012 states *“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 occupation in the 50 metre radius of the application site there is not considered to be any concerns regarding sandwiching.

5.15 **Cycle Parking**

Within the Parking Standards, 2016, Supplementary Planning Document there is a requirement of one cycle space per two bedrooms. With this in mind, 2 cycle parking spaces would be required. The submitted plans show the proposed site layout to have cycle provisions within the rear parking courtyard. The shown cycle parking provisions are acceptable, as such it is recommended that if planning permission were to be granted a condition is imposed requiring this provision to be provided and retained.

5.16 **Impact on character and appearance of Conservation Area**

In accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the conservation area. Saved policy HE6 (Conservation Areas) of Milton Keynes Local Plan 2001-2011 states *“development proposals within or affecting the setting of a Conservation Area should preserve or enhance the character and appearance of the area”*.

5.17 The application proposals would not result in any elevational alterations to the external appearance of the building other than some changes to the windows to allow for a safe fire escape. However, there would be an intensification of the use of the site due to the proposed lettable rooms. A condition should be imposed on any permission granted for details of the windows to be submitted to ensure they do not detract from the character of the conservation area.

5.18 A third party representation was received in regards to using part of the flat roof as a terrace for outdoor space for the residents of the lettable rooms and the impact this would have on the character of the conservation area. Given that only a small portion of the flat roof would be used as a terrace, and that this is located to the rear, it is unlikely that its use would be visible from the public realm of Western Road and Peel Road. As such, it is considered that the use of the flat roof would have little to no impact on the character of the conservation area and as such would preserve that character.

5.19 The proposal would accord with saved Policy HE6 of Milton Keynes Local Plan 2001-2011 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.20 Impact on neighbouring properties

Saved Policy D1 (iii) looks to ensure development do not create adverse impact to the amenity of neighbouring properties including a loss of privacy. Comments have been raised in regards to the loss of privacy to the rear of properties on Windsor Street as a result of the windows serving the ensuite to room 3, the shared kitchen and the laundry room. A condition should be imposed on any permission granted so that these windows are obscurely glazed and non-opening below 1.7 metres from the finished floor level so that the privacy of the properties along Windsor Street is not adversely affected. As the kitchen is communal and is not of a significant size it is unlikely that it will be used for a significant amount of time, as such it is considered reasonable to require the windows serving this room to be obscurely glazed despite it being a habitable room. The laundry room and ensuite are not habitable rooms and as such it is considered reasonable to require the windows serving this room to be obscurely glazed.

- 5.21 A third party representation raised comments regarding the use of the terrace affecting the amenity of neighbouring properties. The section of flat roof to be used would be sectioned off with a handrail to prevent residents using the whole roof space. The neighbouring property on the opposite side of Peel Road is a commercial property, a car repairs garage, and as such residential amenity will not be affected by the proposed use of the flat roof. The neighbouring properties to the front of the application site on Western Road are approximately 23 metres from the proposed terrace. This distance is considered to be acceptable to ensure the proposal will not adversely affect the privacy of these neighbouring properties.

5.22 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 as well as Policies relating to neighbouring amenity and Conservation Areas. The proposal is also considered to meet the requirements of the Houses in Multiple Occupation SPD (2012) as well as the Parking Standards SPD (2016).

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 51 of the Planning and Compulsory Purchase Act 2004.

2. The first floor shall not be operated with more than 4 lettable rooms at any time.

Reason: To control future intensification of the application property.

3. 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.

4. 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.

5. 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.

6. Prior to alteration or installation of windows, full details of the proposed windows shall be submitted to and approved in writing by the Local Planning Authority. Details shall include window elevation drawings and horizontal and vertical cross sections at a scale of at least 1:5. Details shall confirm the finish of the windows, the depth of reveal (to face brickwork) and include opening method and sill. There shall be no trickle vent detail. The works shall be carried out thereafter in accordance with the approved particulars.

Reason: To ensure the proposal does not adversely affect the character of

the conservation area.

7. The windows serving the ensuite to bedroom 3, the kitchen and the laundry room on the approved plan 6662-06-A and 6662-05 shall be obscurely glazed to a level of obscurity of level 3 within the Pilkington range of Textured Glass or equivalent and be non opening below 1.7 metres from the finished floor level. These windows shall not be altered to clear glazing or opening thereafter.

Reason: To safeguard the amenity and privacy of the neighbouring residential occupiers.

8. The use of the flat roof for outdoor amenity space shall be restricted only to the section identified on the approved plans, the remainder of the flat roof shall not be used as amenity spaces for residents.

Reason: To safeguard the amenity and privacy of the neighbouring properties on Western Road.



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Site Location
Scale 1 : 1250



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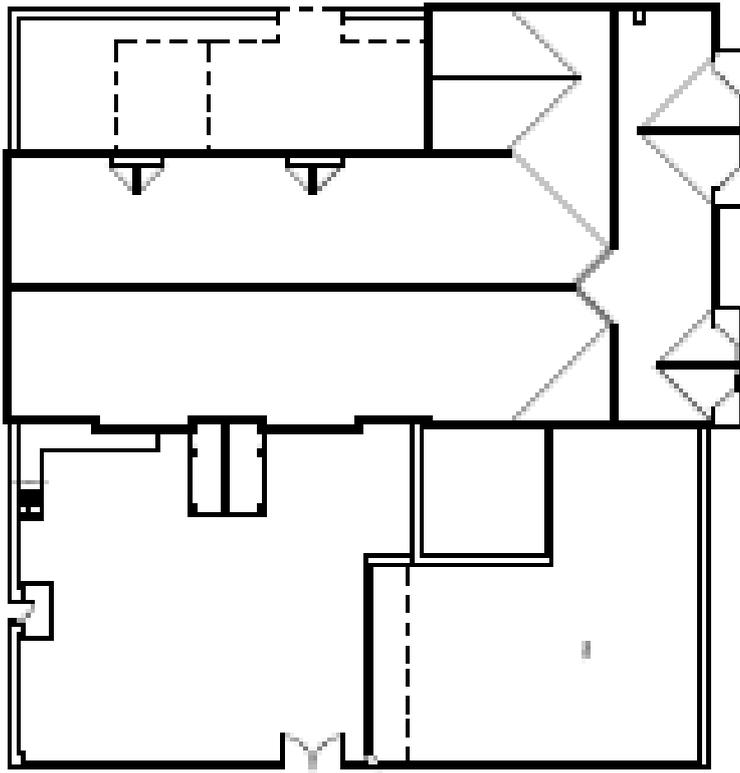
Tel: 01908 233836 Mobile: 07970 076249
e-mail: info@bradbury-design.com

Client	Project	Wolverton Working Mens Club, 8 Western Road, Wolverton, MK12 5BG
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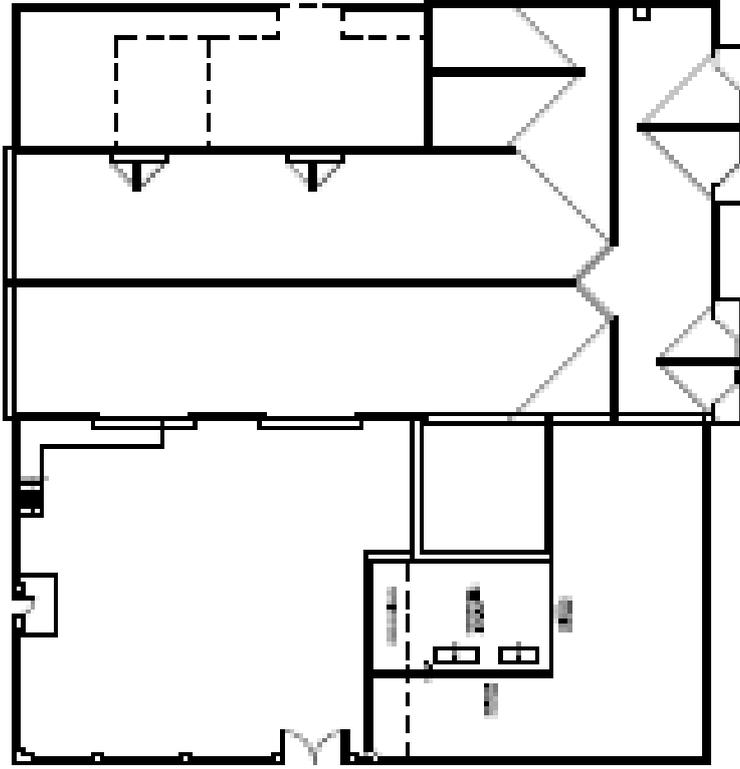
Title	Proposed change of use of first floor to accommodate 4 No. multi let units - Site Location
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Scale	Sheet Size	Date	Drawing No.	Rev.
1:1250	A4	24th Jan 2017	Site Location	-

Contractor to verify all pitches and dimensions on-site. Do not scale from this drawing.
Listed dimensions must be assumed approximate and checked on-site.
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Existing floor plan



Proposed floor plan



Boundary Design Ltd
 100-1000 100th Avenue
 Edmonton, Alberta T5A 1K1

Project Information	
Project Name	100-1000 100th Avenue
Client	Boundary Design Ltd
Project No.	100-1000 100th Avenue
Scale	1:100
Date	10/10/2023
Drawn by	Boundary Design Ltd
Checked by	Boundary Design Ltd
Approved by	Boundary Design Ltd

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 03/00045/FUL

ERECTION OF DETACHED DWELLING AND GARAGE
PER 30.06.2003

04/00794/FUL

REPLACEMENT OF SASH AND CASEMENT WINDOWS AND
REINSTATEMENT OF ORIGINAL DOOR
PER 29.06.2004

14/00697/FUL

Change of use and conversion of first floor of club to 8 x residential units
REF 23.05.2014

14/02365/FUL

Change of use of first floor from Working Men's Club (sui generis) to house in
multiple occupancy (sui generis) with conversion of first floor to 8 lettable
bedrooms (re-submission of 14/00697/FUL)
REF 28.11.2014

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 Conservation And Archaeology (No objection)

Noted – A condition should be imposed on any permission for details of the windows.

The Conservation and Archaeology Team will not be providing conservation comments on this particular application, however the provided plans refer to 'escape windows to be agreed by condition', it thereby follows that any alterations to fenestration window should be subject to a condition.

I have no objection to the creation of a terrace garden in the location shown.

A3.2 Parish - Wolverton & Greenleys (No objection)

Noted – A condition should be imposed on any permission for details of noise mitigation measures to ensure there is not a conflict between the two uses.

The committee has NO OBJECTIONS to this application, however, the Committee have raised concerns about the conflict between the licenced premises and proposed residential use as there is a concern about the potential noise impact on the residents who will be living above the premises, their preference would be to see a noise impact assessment conducted.

A3.3 Ward - Wolverton - Cllr Miles (No comments received)

Noted

A3.4 Ward - Wolverton - Cllr Middleton **(No comments received)** Noted

A3.5 Ward - Wolverton - Cllr Marland **(No comments received)** Noted

A3.6 **Local Residents** Noted

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

60, 61, 62 & 64 Peel Road, Wolverton

1,3, 5, 7, 8, 9, 11 & 11A Western Road, Wolverton

102, 104, 106, 110, 112, 114 & 116 Windsor Street, Wolverton

A site notice was posted on 08/02/2017 advertising the application. Noted

Four comments were received from 110 and 112 Windsor Street and 63 Peel Road and one other property in objection to the application on the grounds of:

- Increased parking pressure for the existing parking issues in local area, the parking area is not currently used for parking and has rubbish in Noted and discussed in paragraph 5.6 - 5.9
- Overlooking from the kitchen to the rear of properties along Windsor Street Noted and discussed in paragraph 5.20
- Use of roof as terrace would impact on amenity and Noted and discussed in paragraph 5.21

character of conservation area

- Full details of all aspects including noise assessment and mitigation measures should be before the panel before a final determination. Noted and discussed in paragraph 5.4