

APP 03

Application Number: 12/01473/FUL
Minor

Change of use of first and second floors to 4 two bedroom apartments

AT 33 Market Place, Olney, MK46 4AJ

FOR Mr Richard Gordon

Target: 4th September 2012

Ward: Olney

Parish: Olney Town Council

Report Author/Case Officer: Alex Harrison

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

1.1 The Site

The application site is a three storey building located in Olney Town Centre currently occupied by a retailer. There is a small curtilage area to the rear. The building front Market Place and access to the rear is gained off Osborns Court which links to the High Street. This application looks at the first and second floor of the building as well as the rear curtilage area. The site is within the conservation area. Details of the location of the site and its relationship to surrounding properties can be seen in the plans attached to this report.

1.2 The Proposal

Planning permission is sought to convert the first and second floor to 4 flats. The flats will provide 2-bedroom accommodation with either private or communal balconies at the rear. Off street parking is provided to the rear, as is the entrance lobby to the building. Externally a number of alterations to window opening are proposed alongside the balcony provision. Details of the proposal as described above can be seen in the plans appended to this report.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework paragraphs:

7. Dimensions to sustainable development.

17. Core Planning Principles.

23-27. Ensuring the vitality of town centres.

47-55. Delivering a wide choice of high quality home.

126-141. Conserving and Enhancing the Historic Environment.

2.2 Local Policy

Core Strategy

CS10 – Housing

CS20 – The historic and natural environment.

Adopted Milton Keynes Local Plan 2001-2011

D1 – Impact of Development proposals on locality

H7 – Housing on unidentified sites.

TC19 – Housing in town, district and local centres.

T10 – Traffic

T15 – Parking provision.

HE6 – Conservation areas.

Supplementary Planning Guidance

Adopted parking standards.

3.0 MAIN ISSUES

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

3.1 Principle of residential conversion

Policy TC19 allows for the residential use of upper floors above shops in town centres. This policy is also considered to be compliant with the goals of the National Planning Policy framework.

3.2 Highway Impact

The development proposes one parking space per flat which is accessible to the rear. The provision is considered acceptable for a town centre location and the fact that the entrance to the units is also at the rear means that the parking provided is more likely to be used.

3.3 Impact to historic context

The change in approach for alterations and insertion of windows has addressed the concerns raised by the Town Council and the Conservation Officer. The extent of physical works proposed is minimal and appropriate conditions can ensure that works that are carried out are done so in the correct materials.

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 Principle of development

In terms of the Local Plan, saved policy TC19 allows for the conversion of the upper floors of retail and commercial properties within town centres for residential uses. The provision of housing within centres is considered to be sustainable development due to the access to shops, jobs etc without having to travel significant distances. Therefore this is compliant with the goals of the National Planning Policy Framework (NPPF) which seeks to presume in favour of sustainable development. The principle of development is therefore considered acceptable.

5.2 Impact on the highway

Access is gained from an existing thoroughfare called Osborns Court, which is accessed from the High Street, northwest of the building itself. This leads to a yard area used for parking and servicing by a number of businesses and residences. 4 residential parking spaces are provided within the curtilage of the site for the flats proposed. The Highways Engineer considers this to be an acceptable provision in a town centre location. The access is established and sufficient to serve the new homes and as a result there is not considered to be any detriment to the functioning of existing businesses or the convenience of neighbouring residents as a result of the access and parking arrangements.

5.3 Impact on historic context

The building lies within the Conservation Area but is not listed. It is considered to contribute to the character and appearance of the conservation area given its prominence in the streetscene. The principal views of the building are from the front and alterations to this extent only involve repairs to existing windows. The front elevation (at first and second floor level) therefore remains largely unaltered this does not harm the character of the conservation area in principle. The alterations to the front do involve creating opening casements where currently they are not. It is considered necessary to condition the approval of window details to ensure that the works are acceptable in detail.

5.4 To the side and rear the alterations to the building cover two areas. The first is the provision of 4 new windows on the side while bricking up an existing opening and providing one door opening to the rear. The proposal drew objection from the Town Council and Conservation as the proposed windows were to be uPVC and this is not appropriate when considering the historic context of the building. The builder, acting on behalf of the agent has since confirmed a change in window proposal stating that new windows will match the existing timber ones and that a condition can safeguard this. This is considered to have addressed the previous concerns and as a result the opening alterations are considered acceptable.

5.5 The second area is the provision of balconies. This is the only way to ensure the provision of amenity space for the properties. To ensure there would be no alterations to the front of the building the arrangement results in the rear aspect flats having a small private balcony and the front aspect flats having a shared balcony provided at first floor level. While not ideal it is acknowledged that

providing residential accommodation within existing buildings and town areas has constraints in terms of the land available. It is considered that the provision of balconies allows for some amenity space for all residents and that this is appropriate. The balconies will need to be implemented as lightweight additions to the building itself and therefore a condition to ensure this is needed and is proposed below.

- 5.6 Within the small rear curtilage a bin store would be provided as well as a screen for extract equipment associated with the proposed ground floor use considered under a separate application. The finish of these structures is considered to be important to ensure that it integrates with the full scheme and this is also required as a condition.
- 5.6 The alterations required for the proposed conversion are small in terms of number and acceptable in principle provided that the details of the works are conditioned for approval in the interests of the character and appearance of the Conservation Area.

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. (D11)

2. The external materials to be used in the development shall be in accordance with samples to be submitted to and approved in writing by the Local Planning Authority before any work is commenced.(M03)

Reason: To ensure that the development does not detract from the appearance of the locality.

3. No development shall take place until full details of the proposed doors, windows/glazed screens, and lantern shall be submitted to, and approved in writing by the Local Planning Authority. Details shall include horizontal and vertical cross sections at a scale of at least 1:5, and elevations. Details shall confirm depth of reveal and include opening method and sill. The development shall be carried out thereafter in accordance with the approved particulars.

Reason: To ensure that the extension will not harm the character and appearance of the conservation area in accordance with the advice in the National Planning Policy Framework and policy HE6 of the Milton Keynes Local Plan 2001 - 2011.

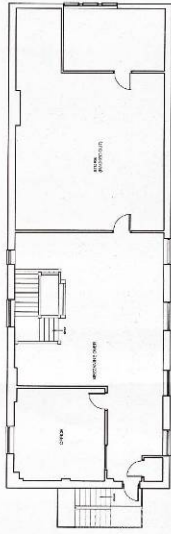
4. No development shall take place until details have been submitted to

and approved by the Local Planning Authority of the proposed balcony construction. Details shall include construction sections to show how the balconies shall integrate with the building, the materials (as required by Condition 3) and finish and the works shall then be carried out in accordance with the approved details.

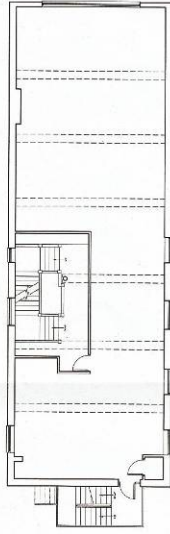
Reason: To ensure that the extension will not harm the character and appearance of the conservation area in accordance with the advice in the National Planning Policy Framework and policy HE6 of the Milton Keynes Local Plan 2001 - 2011.

5. No development shall take place until details have been submitted to and approved by the Local Planning Authority of a hard landscaping scheme which shall include, but not be limited to, the setting out of parking spaces, details, (including sections) of the proposed bin store and details of any enclosures to be erected. The works shall then be carried out in accordance with the approved details.

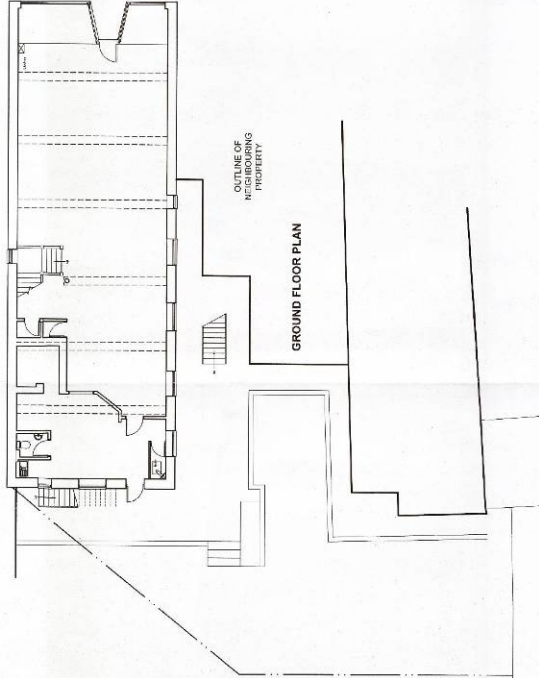
Reason: To ensure the parking provision is provided in accordance with the approved details and the external works do not harm the character and appearance of the conservation area in the interests of the advice within the National Planning Policy framework and policies D1 and HE6 of the Milton Keynes Local Plan 2001 - 2011.



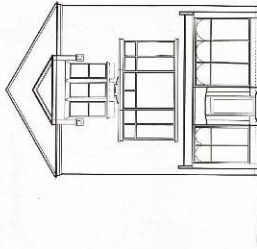
SECOND FLOOR PLAN



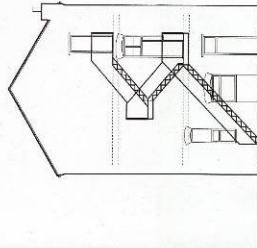
FIRST FLOOR PLAN



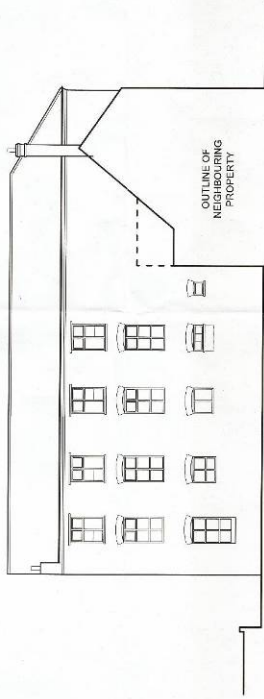
GROUND FLOOR PLAN



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

PLANS & ELEVATIONS
AS EXISTING



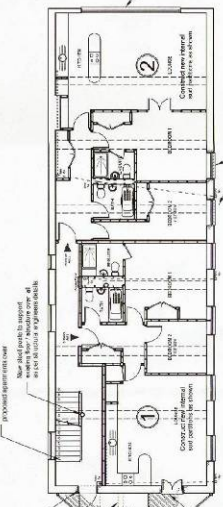
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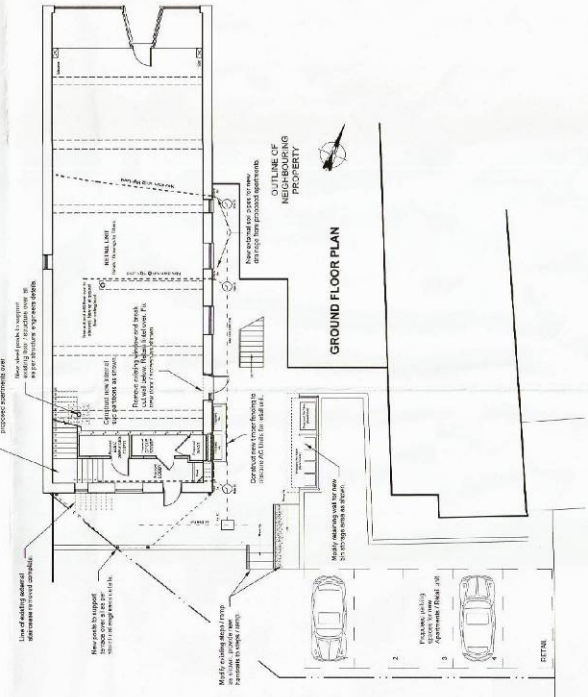
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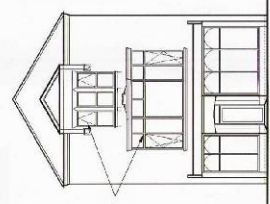
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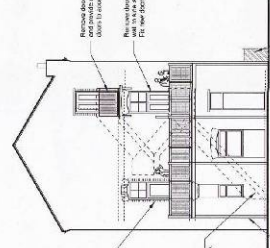
FIRST FLOOR PLAN



GROUND FLOOR PLAN



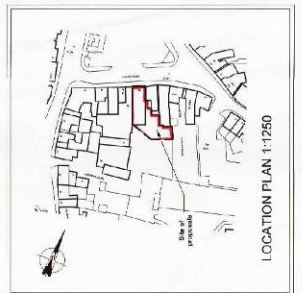
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



LOCATION PLAN 1:1250

PLANS & ELEVATIONS AS PROPOSED



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Appendix to 12/01473/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 12/01445/FUL

Change of use from shop (use class A1) to mixed use (use class A1/A3) coffee shop. Also on this agenda

12/01829/ADV

Advertisement consent for x1 new timber fascia board painted Costa red with x1 set of externally illuminated individual Costa letters fixed to face, x1 new internally illuminated built up Costa logo roundel, hung internally from drop rods and lit externally by trough light and x1 externally illuminated doubled sided Costa logo projecting sign, lit externally by trough light. Pending consideration

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 Amenity

There are a number of residences in the area and the conversion of the first and second floor would result in windows with an outlook to other site but it is not considered that there would be an overlooking impact that would harm the amenity of any neighbours. The building is an existing structure and there is no concern over loss of light.

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 - Olney

The Town Council has no objection to the principle of conversion of the upper floors to residential apartments, however we do object to the use of UPVC for the windows of the building at the rear. The property is located in the Olney Conservation area and the use of UPVC for the windows does not preserve or enhance the character and appearance of the area. This aspect is therefore contrary to policy HE18 of the local plan.

Noted. Para 5.4 addresses this concern. MKLP HE6

Highways Development Control

The proposals include 1 parking space for each of the apartments which meets the council's parking standards for dwellings in zone 2 where the site is located. I have no objections to the planning application.

Noted.

Conservation And Archaeology

The property is a prominent building on the market place, and contributes to the character of the conservation area, and the setting of a number of nearby listed buildings. It is considered to be an undesignated heritage asset, retaining a traditional styled shop front with recessed door way, and large timber first floor window. It appears the second floor windows have been replaced (possibly without consent-note article 4 area)

Noted

Whilst the loss of retail space is regrettable given the market place location, the principle of conversion is considered acceptable, if suitable elevational treatments are achieved.

It is proposed to install Upvc windows on the rear, replacing existing historic windows. Existing windows are timber, and contribute to the character of the building. Their replacement is not acceptable, as the loss of the existing windows and the proposed use of inappropriate replacement materials would fail to preserve the character of the undesignated heritage asset and the character of the conservation area. Existing windows should be retained and repaired, or if any are proven to be beyond repair, they should be replaced on a like-for-like basis. Any new windows in new openings should be in keeping with the other windows, and be a suitable design in timber. Revised details showing the retention and repair of existing windows, and windows to new openings to match, should be provided prior to determination, or the application refused/ withdrawn.

Noted. Para 5.4 addresses this concern. MKLP HE6

To the front elevation, the proposed plan shows the second floor windows to be top-hung casements. This is not in keeping with the character of the building- reinstating a sliding sash may be preferable. As noted above, it appears the existing second floor windows may be unauthorised. Full details of proposed alterations to windows at first floor would also be required.

Noted. Para 5.4 addresses this concern. MKLP HE6

The first and second floor balconies are an unusual feature for the area, particularly the first floor deck, and not particularly in keeping, but it is noted that these are to replace an existing fire escape stair, which is not

Noted

sympathetic either. The impact of the balcony compared to the existing stair is similar, and if appropriately detailed could offer an enhancement to the existing, and therefore I do not object to this if suitably detailed in appropriate materials.

At first and second floor, in flats 1 and 3, the partition wall between bedrooms 1 and 2 terminates at the middle of the window, which doesn't seem ideal as it will create a difficult detail where it joins the window.

Noted. Para 5.4 addresses this concern. MKLP HE6

I object to the proposals based on the current proposals to the windows. Revised details are required.

Bucks Fire Inspecting Officer.

Noted.

I have been to Olney to inspect the access to the premises through Osborns Court as it looked quite narrow. I can confirm that there is sufficient space for the entrance to count as a gate (3.2m) under ADB (Page111, table 20) which allows access to the rear of the set of flats. This therefore satisfies section 16.3 to ensure suitable access for Fire Appliances.

Local Residents

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

- Adresses at 5 – 17 (odd) Osborns Court Olney
- 31, 32, 34, 34A And 34B Market Place Olney
- Flat Above 32 Market Place Olney
- Cowper And Newton Museum Market Place Olney
- Gilpin House Market Place Olney

One letter has been received objecting on the grounds that parking ownership in the rear courtyard is contentious and that this would increase the issue.

Noted. The parking is within the curtilage of the site and it is assumed would be managed as shown on the plans. A condition can require the parking to be laid out in accordance with the approved details and be retained to ensure this.