

**Application Number: 16/01094/FUL
Minor**

Conversion of dwelling to two flats and demolition of garage

AT 171 Church Street, Wolverton, Milton Keynes

FOR Dr Boris Lankov

Target: 24th June 2016

Extension of time: 26th September 2016

Ward: Wolverton

Parish: Wolverton & Greenleys 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 This application is referred to the Development Control Panel for determination as the application has received an objection from Wolverton and Greenleys Town Council and from two neighbouring properties.

1.3 The Site

The application site contains a mid-terrace dwelling located on the southern side of Church Street towards the western side of Wolverton. The dwelling is a two storey brick built property which is currently a three bedroomed dwelling house. To the rear is a residential garden with a single garage at the end, beyond which is an access alley. The attached neighbour to the east is 169 Church Street which is a two storey dwelling house. The attached neighbour to the west is 173 Church Street which is also a two storey dwelling house. The local area is predominantly residential in character, there are however some commercial properties in the local vicinity such as a Funeral Directors and a

Methodist Church. The application site lies within Wolverton Conservation Area. Parking for the three bedroom dwelling is currently on street as is common in this area of Wolverton.

1.4 The Proposal

The application seeks planning permission for the conversion of a single dwelling into two flats, 1x one bedroomed flat on the ground floor level and 1x two bedroomed flat on the first floor. The application also seeks permission for the demolition of the garage and two dwarf walls on either side to the rear of the property. There are no external elevational alterations to the dwelling proposed as part of the application, internally the flats will be accessed from separate doors within the hallway. The application was accompanied by a Design and Access Statement.

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework (2012) paragraphs:

6,7,8 and 14 Presumption in Favour of Sustainable Development
17 Core Planning Principles
56,57,60,61,63, 64 Requiring Good Design
126-138 Conserving and enhancing the historic environment
39 Parking
123 Noise

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
Section 72.

2.2 Local Policy

Core Strategy 2013

Policy CS13 - Ensuring High Quality Well Designed Places
Policy CS19 – The Historic and Natural Environment

2.3 Milton Keynes Local Plan 2001-2011 (Saved Policies)

Policy D1 - Impact of Development Proposals on Locality
Policy HE6 – Conservation Areas
Policy H10 – Subdivision of Dwellings and Houses in Multiple Occupation
Policy T15 - Parking Provision

2.4 Supplementary Planning Documents

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, impact on neighbouring properties and impact on parking provision

3.3 Impact on character and appearance of Conservation Area

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

Saved Policy H10 of the Milton Keynes Local Plan 2001-2011 allows for the subdivision of dwellings so long effective measures are proposed to minimise noise and disturbance; off street parking and manoeuvring is provided to meet the Council's standard and if on street parking is necessary, it would not result in unacceptable congestion in the surrounding area; adequate outdoor space is available for bin storage and a drying area; and the proposal would not adversely affect the character of the surrounding area or lead to an unacceptable concentration of flats or houses in multiple occupation within the area. The sub-division of the property would be acceptable in principle subject to the criteria set out under Saved Policy H10 of the Milton Keynes Local Plan 2001-2011 being satisfied.

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 subdivision of dwellings so long as 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

The proposal would result in some sensitive rooms in the neighbouring properties, No's. 169 & 173 Church Street, being adjacent to other rooms in the proposed flats which may generate noise. This includes bedrooms in both neighbouring properties being adjacent to the living/dining room/kitchen of the first floor flat. As such, noise mitigation measures have been included within the proposal to ensure the neighbouring properties are not adversely affected by noise and disturbance. These measures include sound proof lining of party walls, between the application property and the neighbouring properties No's. 169 & 173 Church Street, where sensitive rooms attach to rooms which may generate noise. The noise insulation to the floor and ceiling between the two proposed flats will be subject to Part E of the Building Control Regulations, however the details include this insulation measure as noise can be transmitted from the floor to the party walls. A condition should be included on any planning permission which is granted to ensure that the proposed noise mitigation measures, for both between floors and between neighbouring properties, are implemented prior to the first occupation of the flats.

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

5.4 (ii) Parking provision

In accordance with the Milton Keynes Parking Standards (SPD) 2016, the application site falls within parking Zone 3 and therefore two allocated parking spaces are required, one parking space for each property. Under the Milton Keynes Parking Standards (SPD) 2016 garages do not form part of the on-plot parking provision. As such, the existing three bedroom dwelling does not have any on-plot parking provision and on street parking is used, as is common in this area of Wolverton. The proposed scheme will create one on-plot parking space to the rear of the property through the demolition of the existing garage. This parking provision would be accessed via the rear alley which connects to Anson Road and Jersey Road. Whilst the proposed scheme does not include the creation of two on-plot parking spaces, the proposal does result in more on-plot parking provision than currently occurs at the existing dwelling. This is considered to be acceptable by the Highways Engineer as it results in one of the two parking spaces being taken off the street and thus reducing the amount of on street parking. The remaining on street parking provision would not cause any additional congestion given that the existing parking provision is all on street parking. A condition should be imposed on any planning permission granted to ensure the parking provision is provided and laid out prior to the first occupation of the flat.

Cycle storage has been proposed in the form of a bike storage shed in the retained rear garden of the property. This will provide a secure area for cycle storage which can be accessed by the occupants of the flats. A condition should be imposed on any planning permission granted to ensure the cycle storage is provided prior to the first occupation of the flats.

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

5.5 Outdoor space with adequate bin storage

The proposal will retain the existing residential garden to the rear of the application site. This is of a sufficient size to accommodate a drying area and bin storage in the rear garden. Bin storage is also proposed to the front of the property. Adequate bins storage would encourage the occupiers of the two flats to properly store rubbish rather than litter the local area. A condition should be included in any permission for details of the bin storage to be provided and discharged prior to the occupation of the two flats.

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

5.6 Concentration and the Impact on character of area

When calculating the concentration of flats and houses in multiple occupation within a 50 metre radius, the calculation carried out is on the basis of the proposed one bedroom flat and one two bedroom flat in accordance with the guidance in the Houses in Multiple Occupation Supplementary Planning Document, 2012. From the available information there are 9 existing one bed flats, 8 existing two bed flats, no lettable rooms in houses of multiple occupation and 38 dwelling houses within the 50 metre radius. To retain the character and appearance of the area, the Houses in Multiple Occupation Supplementary Planning Document, 2012 requires the concentration of Houses in Multiple Occupation and flats in the area to not exceed 35%. The proposal for a one-bedroom flat and one two-bedroom flat would lead to a concentration of approximately 16%. As this is below the 35% given in the Supplementary Planning Document, it is considered that the proposed sub-division would not lead to an over-concentration of Houses in Multiple Occupation or Flats to the detriment of the character and appearance of the area.

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

5.8 **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".

5.9 The application proposals would not result in any external elevational alterations to the external appearance of the building. However, there would

be an intensification of the use of the site due to the sub-division of the property. The existing garage and adjacent dwarf walls to the rear of the application site are proposed to be demolished in order to create one on plot parking space. The garage is a later addition which is of poor design and does not positively contribute to the character of the Conservation Area, the demolition of the garage will and retention of an area of hardstanding would enhance the character and appearance of the Conservation Area.

- 5.10 The proposed conversion of the existing dwelling house into two flats with no external alternations and the demolition of the garage and adjacent dwarf walls and retention of an area of hardstanding 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.

5.11 Other matters

An objection has been raised on the grounds that previous applications for Houses in Multiple Occupancy have been refused. Each application is determined upon its own merits and the radius of each property will be slightly different so that their concentration calculation may differ. The calculation of concentration requires a 50 metre buffer and each property will have a slightly different buffer and therefore a slightly different concentration calculation.

- 5.12 An objection has been raised that the proposal would result in adverse impact on the infrastructure of the local area. Due to the small scale of the proposal, creating two dwellings from one dwelling, it is considered that the proposal would not result in such a substantial increase in the population that the local infrastructure could not cope. As such the proposal would not cause adverse impact on the infrastructure of the local area.

- 5.13 An objection has been raised on the grounds that the proposal will result in a loss of community due to the occupants of the flat likely to be renting for short periods of time. The objector also raises a concern that the proposed flats may be used to house whole families rather than individuals or couples. Guidance within the National Planning Policy Framework 2012 and Saved Policy H9 of the Milton Keynes Local Plan set out the need for a range of housing types and sizes to meet the needs of different members of the population. The reasoning for this is to create balanced local communities and avoid social polarisation between areas. Whilst the proposed flats may have short term tenancies, there is no indication whether this may occur or not within the submitted application, it is important a variety of housing is provided to meet the needs of different members of the community. The proposed flats could provide accommodation for a family unit, a couple or individuals and as such can accommodate the needs of different members of the community.

5.14 Conclusion

The proposed scheme has effective noise mitigation measures which ensure the neighbouring properties are not affected by noise and disturbance. The

proposed scheme also provides allocated parking and cycle storage facilities as well as bin storage and sufficient outdoor space for the proposed flats. The character of the area is considered to not be adversely affected by the proposed scheme as the concentration does not exceed the 35% threshold as set out by the Houses in Multiple Occupation Supplementary Planning Document 2012. The proposed scheme does not include any external alterations to the dwelling itself but does include the demolition of a modern garage. The proposed scheme preserves the character and appearance of the conservation area and is in accordance with saved Policy HE6 of Milton Keynes Local Plan 2001-2011 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is recommended that planning permission be granted subject to the conditions set out in Section 6.0 of this report.

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 approved development shall be carried out in accordance with the following drawings/details:

1717CS/16/100/B Location and Block plans, proposed and existing elevations and plans as electronically registered on 5th September 2016

Bicycle storage details (Shedstore shire wooden bike shed) as electronically registered on 5th September 2016

Reason: For the avoidance of doubt and in accordance with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

2. 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. No part of the development hereby permitted shall be occupied until the parking area has been laid out and surfaced in accordance with the hereby approved plans. Thereafter the parking area shall only be used for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure safe access to the site in accordance with the provisions of saved policy H10 (ii) and T15 of the Milton Keynes Local Plan Adopted 2001 - 2011.

3. No part of the development hereby permitted shall be occupied until the bicycle storage has been laid out in accordance with the hereby approved

plans. Thereafter the bicycle parking area shall be retained in perpetuity for use of the development

Reason: To ensure that adequate bicycle parking facilities are provided to serve the development in accordance with saved policy T3 (v) of the Milton Keynes Local Plan 2001-2011

4. No part of the development hereby permitted shall be occupied until the bin storage areas have been laid out in accordance with the hereby approved plans. Thereafter the bin storage area shall be retained in perpetuity for use of the development

Reason: To ensure that adequate bin storage facilities are provided to serve the development in accordance with saved policy H10 (iii) of the Milton Keynes Local Plan 2001-2011

5. No part of the development hereby permitted shall be occupied until the noise mitigation measures for both between floors and between neighbouring properties has been carried out in accordance with the hereby approved plans. The approved scheme shall be provided and be retained thereafter.

Reason: To ensure that the proposal does not adversely impact neighbouring amenity in terms of noise and disturbance in accordance with saved policy H10 (i) and D1 (iv) of the Milton Keynes Local Plan 2001-2011

Appendix to 16/01094/FUL

A1.0 RELEVANT PLANNING HISTORY

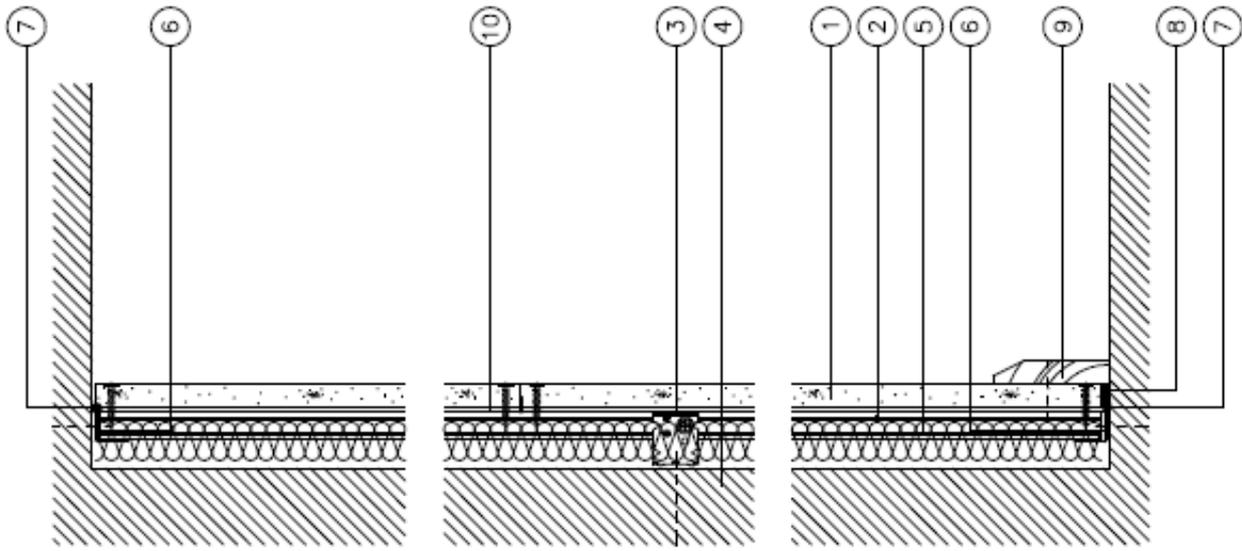
(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 None

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 None



- 1 1 layer 12.5 Gyproc soundboard fixed with British Gypsum Drywall Screws at 300mm centres (200mm centres at external angles) with 3mm skim finish.
- 2 Gypframe GL1 Lining Channels close to corners & at 600mm centres thereafter. Lining channels extended with Gypframe GL3 Channel Connectors (not shown)
- 3 Gypframe GL2 or GL9 Brackets at 800mm centres fixed to background with Gypframe GL11 GypLyner Anchors, to provide 35mm cavity between soundboard and wall. Legs fixed to lining channel with British Gypsum Wafer Head Drywall Screws & bent back from lining channel face. For internal corners leg bent across lining channel face & fixed with British Gypsum Wafer Head Drywall Screws
- 4 Masonry background
- 5 25mm Isover insulation installed within 35mm cavity.
- 6 Gypframe GL8 Track suitably fixed to floor/soffit at 600mm centres
- 7 Gyproc Sealant for optimum sound insulation
- 8 Gyproc jointing material bulk fill where gap exceeds 5mm
- 9 Indicative skirting
- 10 Gypframe GFT1 Fixing T progressively inserted between board edge & lining channels to support horizontal board joints. Alternatively Gypframe GFS1 Fixing Strap (not shown) fixed to lining channels with 2 no. British Gypsum Wafer Head Drywall Screws
- 11 Additional Gypframe GL1 Lining Channel fixed to track at head & base with British Gypsum Wafer Head Drywall Screws
- 12 Gypframe GL8 Track fixed through plasterboard to lining channel with British Gypsum Drywall Screws at 600mm centres

SOUND PROOF LINING DETAIL TO PARTY WALL

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 - Wolverton & Greenleys (Objection)

It was RESOLVED to object to this application as the plans did not appear to indicate sufficient parking for the proposed development

Noted and discussed in paragraph 5.4

Ward - Wolverton - Cllr Miles **(No comments received)**

Noted

Ward - Wolverton - Cllr Middleton

Noted and discussed in paragraph 5.4

Correspondence was received from Councillor Middleton outlining both his concerns and concerns raised by 173 Church Street. Councillor Middleton's concerns were in regards to parking.

Ward - Wolverton - Cllr Marland

Noted and discussed in paragraph 5.4

Correspondence was received from Councillor Middleton outlining both his concerns and concerns raised by 173 Church Street. Councillor Marland's concerns were in regards to parking.

A3.2 Local Residents

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

2 Jersey Road, Wolverton

169, 173, 210, 212 & 214 Church Street, Wolverton

A3.3 Two third party objections were received from 173 Church Street and another property on Church Street. The objections were in regards to:

Impact on the area

Noted and discussed in paragraph 5.6

Impact on parking

Noted and discussed in paragraph 5.4

The loss of a local community as people are not likely to stay in the properties for long

Noted and discussed in paragraph 5.13

Impact on local infrastructure

Noted and discussed in paragraph 5.12

Impact in terms of noise, the kitchen of the first floor apartment would be adjacent to the bedroom of No.173

Noted and discussed in paragraph 5.3

Possibility of the flats being used to house whole families rather than individuals or couples

Noted and discussed in paragraph 5.13

Previous Houses in Multiple Occupancy in the local area application have previously been refused

Noted and discussed in paragraph 5.11

Increase in rubbish

Noted and discussed in paragraph 5.5