

**Application Number:** 18/00373/FUL**Description** Change of use from Single Family Dwelling to Bed and Breakfast Establishment**AT** Loughton Rectory, Pitcher Lane, Loughton, Milton Keynes, MK5 8AU**FOR** Mr Nigel Burdett**Target:** 25th July 2018**Extension of Time:** Yes**Ward:** Loughton And Shenley**Parish:** Loughton & Great Holm  
Parish Council**Report Author/Case Officer:** Lakeisha Peacock  
Planning Officer**Contact Details:** Lakeisha.Peacock@milton-keynes.gov.uk  
01908 254374**Team Manager:** Nicola Thompson [Nicola.Thompson@milton-keynes.gov.uk](mailto:Nicola.Thompson@milton-keynes.gov.uk)  
01908 252789

## 1.0 RECOMMENDATION

It is recommended that permission is granted subject to conditions set out in this report.

## 2.0 INTRODUCTION

### 2.1 The Site

The application site is contains Loughton Rectory, a detached two storey residential dwelling located to the south east of Pitcher Lane in Loughton. The site is located within Loughton Conservation Area, with residential dwellings located to the south and east of the site. Beckett House, a nursing home, is located to the north of the dwelling, sharing a boundary with the application site. The site is accessed via Pitcher Lane.

### 2.2 The Proposal

The application seeks planning permission for the change of use of the property from residential (Use Class C3) to a Bed and Breakfast Establishment (Use Class C1). The establishment will contain seven bed and breakfast rooms, with a guest kitchen/diner and lounge located within the main dwelling. A house keeping suite is also located within the main dwelling, however, this cannot be accessed from the main establishment. There are no external works proposed as part of the application.

### 2.3 Reason for referral to committee

The application is referred to the Development Control Panel for determination at the request of Loughton and Great Holm Parish Council.

## 3.0 **RELEVANT POLICIES**

### 3.1 National Policy

National Planning Policy Framework 2012  
Paragraph 17 Core Planning Principles  
Section 12 Conserving and Enhancing the Historic Environment

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

### 3.2 Local Policy

Milton Keynes Core Strategy 2013  
CSA Presumption in Favour of Sustainable Development  
CS13 High Quality, Well Designed Places  
CS19 The Historic and Natural Environment

Adopted Milton Keynes Local Plan 2001-2011 (Saved Policies)  
D1 Impact of Development Proposal on Locality  
D2 Design of Buildings  
HE6 Conservation Areas  
L10 Visitor Accommodation  
T10 Traffic  
T15 Parking Provision

Milton Keynes Parking Standards 2016 (Supplementary Planning Document)

### 3.3 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

### 3.4 Equalities Act 2010

Due regard, where relevant, has been had to the Milton Keynes Council's equality duty as contained within the Equalities Act 2010.

## **4.0 MAIN ISSUES**

Principle of Development

Impact on Residential Amenity

Design and Impact on the Character of the Conservation Area

Parking and Highways

Traffic

Other Matters

## **5.0 CONSIDERATIONS**

### Principle of Development

5.1 The principle of the change of use from Use Class C3 residential dwelling to Use Class C1 as a Bed and Breakfast Establishment needs to be assessed under Saved Policy L10 of the Milton Keynes Local Plan 2001-2011. This policy states that: "planning permission will be granted for new visitor accommodation involving either the conversion of suitable existing dwellings or the reuse of existing farm buildings".

5.2 The existing dwelling is located in a residential area with good access to Central Milton Keynes and transport facilities, as well as being compatible with the residential context. This location is therefore considered to be an acceptable site for visitor accommodation through the conversion of existing dwellings. Consideration is also given to the fact that no external alterations or extensions are proposed to accommodate the change of use that would impact the character of the local area or amenity of neighbouring residents. These elements are further addressed within the report. As such, the dwelling is considered to be a suitable conversion and would comply, in principle, with Policy L10 of the Milton Keynes Local Plan 2001-2011.

### Impact on Residential Amenity

5.3 Saved Policy D1(iii) of the Milton Keynes Local Plan 2001-2011 states that developments will be refused where they are harmful by the way of an unacceptable visual intrusion or loss of privacy, sunlight and daylight. In addition, the Core Planning Principles set out in paragraph 17 of the National Planning Policy Framework 2012 details that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

5.4 There are no external changes proposed as part of this application and therefore there would be no additional visual intrusion or loss of privacy, sunlight and daylight to neighbouring dwellings as a result of the proposal.

5.5 Saved Policy D1 (i) and (iv) of the Milton Keynes Local Plan also state that developments will be refused where they are harmful by way of undue disturbance and noise from additional traffic generation and unacceptable pollution by noise.

5.6 The application site is located within an area of predominantly residential use, with residential dwellings located to the south and east of the site on Pitcher Lane. A nursing home, Beckett House, is located to the north of the site and shares a boundary with the

application site. The proposed Bed and Breakfast Establishment is considered to be relatively small in scale and as such is considered to be in keeping with the residential context of the local area, given the domestic use of the establishment. It is acknowledged that the proposed Bed and Breakfast use may increase the level of local traffic due to visitors leaving and arriving at the site, however, this increase is considered to be minimal and would result in an undue disturbance from additional traffic generation. The Senior Environmental Health Officer was consulted and raised no objections to the proposed development as a result in regard to potential impact from an increase in noise. As such, the proposed change of use is considered not to create an undue noise disturbance as a result of the development.

### Design and Impact on the Character of the Conservation Area

5.7 The application site is located adjacent to Loughton Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special attention to the desirability or preserving or enhancing the character or appearance of Conservation Areas. Recent cases in the High Court of Appeal have placed emphasis on Local Planning Authorities ensuring the great weight is attached to these duties. Saved Policy HE6 of the Milton Keynes Local Plan 2001-2011 and Core Strategy Policy CS19 reflect the aforementioned duty and required development proposals to protect and enhance the significance of the Borough's heritage assets. Section 12 of the National Planning Policy Framework also seeks the preservation and enhancement of the historic environment.

5.8 There are no external alterations or extension proposed to the existing dwelling in order to support to proposed change of use. In addition to this, the proposal is considered to be a small scale development in keeping with the residential context of the local area. As such, the proposed development is considered not to have a harmful impact on the adjacent Conservation Area or its setting and would accord with Saved Policies HE6 of the Milton Keynes Local Plan 2001-2011 and CS19 of the Milton Keynes Core Strategy.

### Parking and Highways

5.9 Saved Policy T15 of the Milton Keynes Local Plan 2001-2011 relates to ensuring development proposals meet vehicle parking requirements as laid out in the Milton Keynes Parking Standards 2016 (Supplementary Planning Document 2016). 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
- iii) Parking areas should be well designed in terms of safety, circulation and appearance and assist in access by pedestrians and cyclists".

5.10 The application site is located within Zone 3 as outlined in the Milton Keynes Parking Standards 2016. A Bed and Breakfast Establishment (Use Class C1) located in Zone 3 requires 1 parking space per two bedrooms and also needs to comply with

standards as set out for Use Class A3 (Restaurants and Cafes) and Use Class D2 (Assembly and Leisure).

C1 use in Zone 3	Bedrooms	Allocated	
		Required	Proposed
<u>C1 Hotels &amp; Bedrooms</u> 1 per 2 bedrooms plus A3 (Restaurants & Cafes) & D2 (Assembly & Leisure)	7 + 1 Housekeeper	4	6

5.11 In this instance, as no additional facilities are to be provided as part of the development the development would need to comply with the standards for Use Class C1 only, and would therefore require a minimum of 4 allocated parking spaces.

5.12 A parking plan has been submitted in support of this application demonstrating 6 allocated parking spaces located on site. This exceeds the required amount outlined within the Milton Keynes Parking Standards 2016. It is acknowledged through consultation responses that the lane is frequently used by pedestrians and for equestrian purposes due to the sites proximity to the Equestrian Centre located approximately 440 metres from the application site (0.27 miles). Due to this context therefore, in this instance it is considered appropriate to apply a condition to any permission in order to ensure that the parking spaces are permanently marked out and used for no other purpose. This is in order to ensure that there is no significant impact on Highway safety as a result of a lack of parking. In addition to this, the Highways Officer has raised no concerns in regard to the turning circles associated with the proposed parking plan and as such there are no concerns in this regard.

### Traffic

5.13 Saved Policy T10 of the Milton Keynes Local Plan 2001-2011 states: "Planning permission will be refused for development if it would likely to generate motor traffic:

- i) Exceeding the environmental or highway capacity or local road network  
or
- ii) Causing significant disturbance, noise, pollution or risk of accidents"

5.14 The application site is located on Pitcher Lane, a single track lane that leads into Loughton Conservation Area. It is acknowledged that there will be an increase in motor traffic as a result of the change of use, and there are concerns regarding the impact of this on the existing road network.

5.15 The application site is located on Pitcher Lane, a single track Lane that leads into Loughton Conservation Area. It is acknowledged that, as a result of the proposed change of use, there will be an increase in motor traffic along this stretch of road. The application site, however, can be accessed from three different roads leading onto Pitcher Lane, including Pitcher Lane itself from the south of the site; School Lane from the north west of the site, and Church Lane, located to the north of the site. The Highways Officer was consulted and verbal confirmation was received that due to the various access roads leading onto Pitcher Lane, and in combination with the small scale nature of the proposed change of use, that the development would not result in an amount of motor traffic that

would exceed the environmental and highway capacity of the lane. In addition to this, there have been no concerns in regard to the impact of pedestrian safety as a result on an increase in traffic generation.

5.16 In regard to an increase in noise pollution as a result of the increase in traffic, the proposed development is considered not to create a significant disturbance in regard to noise pollution. The Environmental Health Officer was consulted as part of the application and raised no concerns with the impact of the proposal.

#### Other Matters - Impact on trees

5.17 Saved Policy D1(v) of the Milton Keynes Local Plan 2001-2011 states that planning permission will be refused for development that would be harmful in regard to "physical damage to the site and neighbouring property including statutorily protected and other important built and natural features and wildlife habitats".

5.18 There are several protected trees located to the north of the site of which concerns have been raised in regard to the impact of these trees as a result of the original proposed parking arrangements. The Arboricultural Officer was consulted and raised no concerns regarding a significant harmful impact on the protected trees should there be no proposed change to hardstanding within the root zone of the protected trees. An updated plan was received from the agent amending the proposed parking scheme in order to ensure that there is no proposed change of existing boundary treatment into hardstanding in order to accommodate the required parking under the Milton Keynes Parking Standards 2016. The amended proposed parking plan seeks no change of boundary treatment to hardstanding, and as such the proposed development is considered not to adversely affect the health of the protected trees to the north of the application site. There is also no expansion to the existing driveway proposed in order to accommodate the proposed parking.

## **6.0 CONCLUSIONS**

6.1 In conclusion the proposal is in accordance with the development plan and national policy and is therefore recommended for approval subject to conditions.

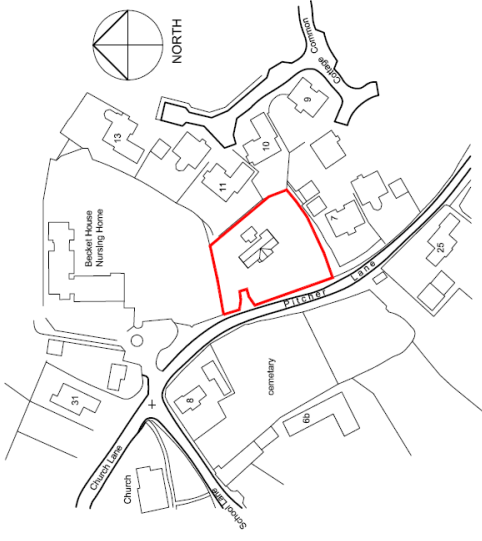
## 7.0 CONDITIONS

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

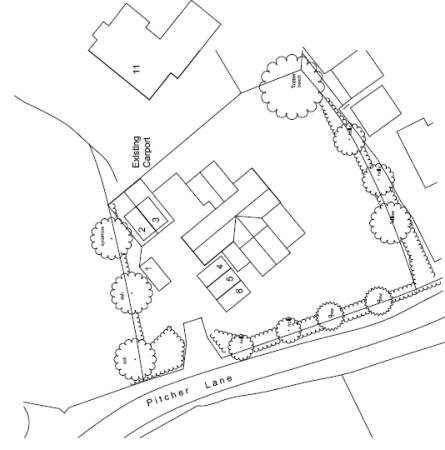
Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. Prior to first occupation of the Bed and Breakfast, the parking area associated with the change of use, as shown on the approved plans shall be surfaced and shall be maintained as permanent ancillary to the dwelling and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013 and Saved Policies D1, T3 and T15 of the Milton Keynes Local Plan 2001-2011.

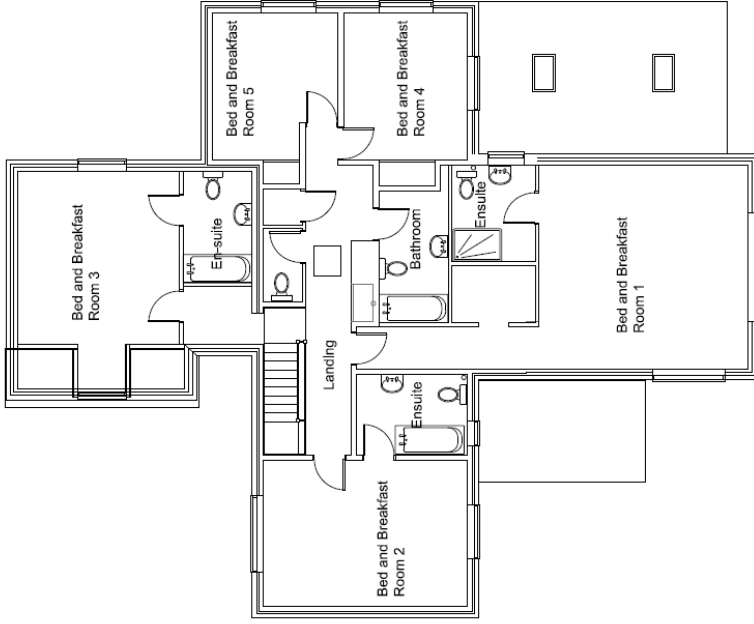


Location Plan 1:1250

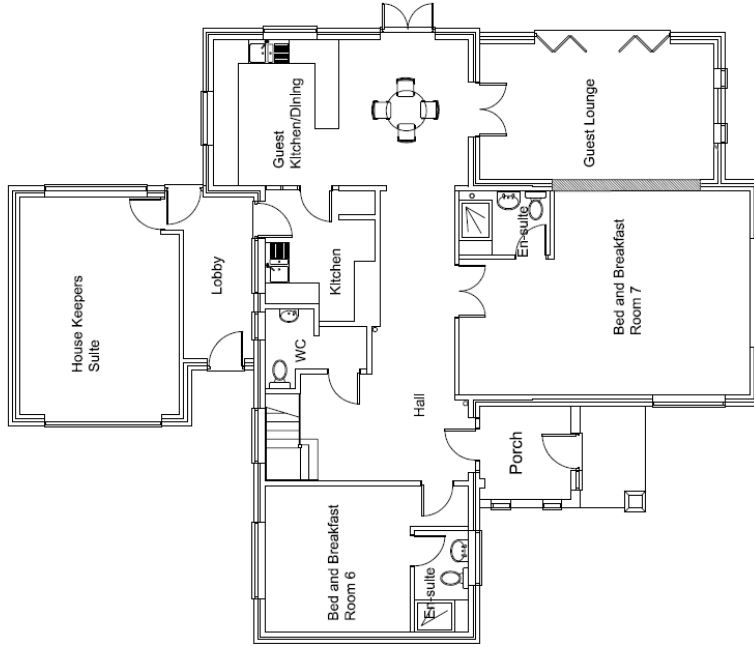


Block Plan 1:500





First Floor Plan



Ground Floor Plan

## **Appendix to 18/00373/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

07/00890/FUL

REPLACEMENT OF EXISTING PORCH, ERECTION OF TWO STOREY FRONT AND SINGLE STOREY SIDE EXTENSIONS  
PER 13.07.2007

07/01589/TPO

REDUCTION AND RESHAPING BY 25% AND ALL ROUND TRIMMING AND SHAPING TO 1 HOLLY AND 2 LARGE ASH TREES, POLE INTO SHAPE OVERHANGING BRANCHES OF 2 YEW TREES, POLLARDING OF 1 WILLOW TREE, REDUCTION AND RESHAPING BY 25% AND THINNING OUT BY 15% - 20% OF 1 LARGE BEECH TREE AND ALL ROUND TRIM TO SHAPE OF 2 HOLLY TREES  
WDN 05.11.2007

07/01790/FUL

ALTERATIONS TO ACCESS, ERECTION OF ENTRANCE PIERS AND INSTALLATION OF NEW SLIDING GATE  
REF 12.12.2007

07/01986/TPO

TREE PRESERVATION ORDER CONSENT FOR RESHAPING THE LATERAL BRANCHES BY 20% OF 1 HOLLY TREE, PRUNING OF 2 YEW TREES, POLLARDING OF 1 WILLOW TREE, REDUCING CROWN BY 25% OF 2 ASH TREES, BY 20% OF 1 HOLLY TREE & BY 15% OF 1 BEECH TREE  
PTPOZ 01.02.2008

07/02142/FUL

AMENDMENTS TO PLANNING PERMISSION 07/00890/FUL FOR ERECTION OF PORCH, PART SINGLE STOREY AND PART TWO STOREY FRONT EXTENSIONS (RETROSPECTIVE)  
PER 17.01.2008

08/00871/FUL

ALTERATIONS TO ACCESS, ERECTION OF ENTRANCE PIERS AND INSTALLATION OF GATE (RESUBMISSION OF 07/01790/FUL)  
PER 08.07.2008

08/01428/FUL

ERECTION OF TWO STOREY REAR EXTENSION  
PER 09.10.2008

09/00654/FUL

TWO STOREY REAR EXTENSION (RESUBMISSION OF 08/01428/FUL) (PART RETROSPECTIVE)  
PER 02.06.2009

09/01573/FUL  
CONSTRUCTION OF DETACHED GARAGE/CAR PORT  
PER 03.11.2009

09/02165/DISCON  
Details submitted pursuant to conditions 3 and 5 attached to planning application number  
09/01573/FUL  
DTAPP 10.02.2010

10/00017/FUL  
Erection of carport/garage store (resubmission of 09/01573/FUL)  
PER 16.04.2010

13/00362/TCA  
Notification of intention to cut back 2m from house, crown raise to 4m and remove  
deadwood of one Ash tree (T1), cut back by 2m one Sycamore tree (T2), fell to ground  
level and treat the stump of one Willow tree (T3) and cut back by 2m one Beech tree (T4)  
CATREE 08.04.2013

13/00688/TPO  
Tree preservation order consent to cut back 2m from house, crown raise to 4m and  
remove deadwood of one Ash tree (T1), fell to ground level and treat the stump of one  
Willow tree (T3) and cut back by 2m one Beech tree (T4)  
PTPOZ 05.07.2013

14/01922/TPO  
Tree preservation order consent to fell to ground level 1x Ash tree (T1)  
RTPOZ 11.11.2014

## **A2.0 ADDITIONAL MATTERS**

### **Bed and Breakfast**

A third party comment was received in regard to the description of the proposal as a Bed and Breakfast establishment. The agent has confirmed that the owner of the dwelling will be living in the dwelling associated with this change of use application, thus, it is considered that the proposed development would constitute a Bed and Breakfast Establishment.

## **A3.0 CONSULTATIONS AND REPRESENTATIONS**

### **A3.1 Environmental Health**

“Environmental Health has considered the application with regard to potential noise impacts, and has no objection.

There may be a slight increase in local traffic, but this would not be significant in Environmental Noise terms. The prevailing dominant noise source is road traffic from the A5 dual carriageway and railway noise from the west coast mainline. I cannot envisage any other noise which would be above and beyond that which would normally be generated by domestic use of the building”.

### **A3.2 Councils Archaeology**

No comments received at the writing of this report

### **A3.3 Highways**

“The proposals include 7 parking spaces (1 per Bed and Breakfast room). This is a reasonable level of provision which is acceptable. I would recommend that an additional parking space is provided for the owners' suite”.

### **A3.4 Landscape Services**

“I understand that the hardstanding for parking at this site is as shown and no changes or extension of the hardstanding are proposed, if this is the case then there should be no adverse impact upon the root zone of the trees adjacent which are subject to TPO and/ or Conservation Area protection and so I would have no objections.

If however changes or extensions of the hardstanding into BS 5837 root protection areas are proposed then an arboricultural impact assessment and method statement will be required, and also proposals for raised, nil-excavation construction of the hardstanding will be required”.

### **A3.5 Parish- Loughton and Great Holm**

I am writing to advise you that Loughton & Great Holm Parish Council has considered this planning application and has resolved to object to it for the following reasons:

- Preservation of the rural character of the conservation area - The Rectory is in the conservation area of Loughton. Pitcher Lane is one of three sunken lanes on which there is very little street furniture, no road markings and it is often overgrown; aspects which contribute to the rural feel of the area. The ecology of the lane is fragile, and usage should be kept to a minimum to preserve these aspects. Therefore, the increased volume of traffic and related noise that the change of use will bring may harm the ecological balance of the lane.

- Risk to local residents - pedestrians and people on cycles, horses, pushchairs and mobility aids share the lane with vehicles. It is a single lane with no footpath. For these reasons, the Parish Council is concerned that the potential volume of traffic will compromise the safety of local residents. Whilst local drivers are aware of the poor visibility of the area and expect to see pedestrians in their path, visitors to area will be less aware and this will increase the risk to pedestrians and other users.
- Parking spaces and location - there are insufficient parking spaces to allow for full occupancy of the Bed and Breakfast. If it was fully occupied, cars would not be able to turn to leave the property safely. The hill location means that this may create hazards as drivers come in and out of the property.
- Change of use - the change of use would harm the character of the Conservation area. In addition to the reasons above, the dwellings in the Loughton conservation area are privately occupied and are and are not business premises. The nature of a Bed and Breakfast, with transitory visitors, is not in keeping with the rural character of the area.

#### A3.6 Ward- Cllr Dransfield

No comments were received at the writing of this report

#### A3.7 Ward- Cllr Nolan

"I am objecting to the application because it is on the edge of the Loughton Conservation Area and all the additional traffic it would create would have to go through the Loughton Conservation Area. If this lovely family home were to become a bed-and-breakfast hotel with seven bedrooms then there could easily be something in the region of 28 extra car movements every day up and down very narrow lanes where it is difficult for cars to pass. This would just be from guests and additional movements could be created from staff and others accessing the hotel. In addition there may well be larger vehicles delivering and collecting laundry and delivering food. This is a beautiful residential area in the conservation area and very close to all Saints Church as it was formerly the rectory. It is not possible to access this house without using the very narrow lanes surrounding it. There is no doubt that the lanes will be damaged if this application were to go ahead.

I'm also concerned about the safety of pedestrians as many people run, walk or exercise their pets in this beautiful area in the heart of the conservation area. I would also ask the committee to consider how close it is to the Ride High equestrian centre. This road is frequently used by those on horseback as well".

A3.8 A total of 8 third party/neighbour responses were received objecting to the proposal. They raised objections regarding:

- The impact of the additional traffic on pedestrian safety
- Not in keeping with the residential area or village context
- Impact of heavy delivery vehicles
- Expansion of driveway and subsequent loss of trees

- No space for turning
- Increase in noise and result on amenity of neighbouring dwellings
- Harm to the adjacent Conservation Area
- Reduction of Residential Housing Provision

Several other objections were raised however these are not material planning considerations:

- Overdevelopment of family home
- Impact on an existing small Bed and Breakfast
- A lack of justification for the proposed change of use
- Reduction in residential housing provision
- Setting a precedent within the local area