

Application Number: 16/02088/FUL**Change of use from dwelling house (C3) to house in multiple occupation (C4)
(retrospective)****AT 56 Eridge Green, Kents Hill, Milton Keynes****FOR Mr Mohammed Sadiq****Target:** 28th October 2016**EOT:** 23rd March 2017**Ward:** Monkston**Parish:** Kents Hill & Monkston Parish
Council**Report Author/Case Officer:** Samantha Taylor, Planning Officer**Contact Details:** 01908 252724 samantha.taylor2@milton-keynes.gov.uk**Team Leader::** Stephen Gee, Senior Planning Officer**Contact Details:** 01908 253145 stephen.gee@milton-keynes.gov.uk

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 due to an objection received from the Parish Council and 6 third party representations.
- 1.3 **The Site**
The application site is a large detached property located within the residential area of Kents Hill. The property is two storeys in height, with an attached garage. The local area consists of mainly modern detached dwellings. The site would be accessed via Eridge Green, a circular shaped cul-de-sac network arranged around a central green.

1.4 **The Proposal**

The application seeks full planning permission (part retrospective) for the change of use from a single dwellinghouse (Use class C3) to a 6 bedroom House in Multiple Occupation (HiMO) (Use class C4). The proposed ground floor would consist of 2 bedrooms, a kitchen, utility room, toilet, garage, store room and bin store. The proposed first floor would consist of 4 bedrooms an ensuite and bathroom. As part of the proposal, five independently accessible parking spaces would be located at the front of the site. The property's existing rear garden would be utilised to provide a drying area and the garage/store room would be used for cycle storage.

2.0 **RELEVANT POLICIES**

(The most important policy considerations relating to this application)

2.1 **Local Policy**

Core Strategy 2013

Policy CS 10: Housing

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

2.2 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 (2012)

New Residential Development Design Guide (2012)

Parking standards (2016)

2.4 **National Policy**

National Planning Policy Framework 2012

Section 7: Requiring Good Design

3.0 **MAIN ISSUES**

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

- 3.1
 - Principle of Development
 - Impact of Development on the Character and Appearance of the Area
 - Impact on Neighbouring Properties
 - 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 lead 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.

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, only the number of lettable rooms. The submitted plans show two bedrooms on the ground floor and 4 bedrooms on the first floor. In addition, at ground floor level is a kitchen, W.C., utility room, store room and garage. At first floor level there is a bathroom and en-suite serving a bedroom.

- 5.3 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.

5.4 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”

5.5 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 to adjoining properties or the transference of noise between internal walls to other tenants. An Environmental Health Officer has been consulted on this application and no objections have been received to the proposed change of use. However, it should be noted there are no party walls (shared walls) with neighbouring properties as no. 56 Eridge Green is detached.

As there are no shared party walls, the proposed development would accord with the Houses in Multiple Occupation, 2012, Supplementary Planning Document and satisfies saved policy H10(i) of the Milton Keynes Local Plan 2001-2011.

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 five 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 front of the dwelling (to the south-east of the application site). The proposed change of use is considered to be supported by adequate parking provision.

5.8 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.

5.9 The proposed development would be compliant with saved policies T15 and H10 (ii) of the Milton Keynes Local Plan 2001 – 2011 and the Parking Standards SPD, 2016 and Houses in Multiple Occupation SPD, 2012.

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 to the front of the property with the required refuse facilities which is acceptable. The external space and bin storage shown on the plan exceeds the required standard. To ensure there is space to bin store is provided, a suitable condition requiring this to be implemented is outlined at section 6.0 of this report.

5.12 Within the existing rear garden of the property the submitted plans show there to be more than sufficient space for drying, with the proposed layout showing two rotary dryers are to be provided. 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.

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

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

This application seeks retrospective planning permission for the change of use from a single dwellinghouse (Use Class C3) to a five bedroom house in multiple occupation (Use Class C4). It is noted that there is one other property which is a House in Multiple Occupation within a 50 metres radius of the application site. When calculating the concentration of Houses in Multiple Occupation within a 50 metre radius the calculation carried out is on the basis of the proposed five lettable bedrooms. In addition to this, there are 15 dwellinghouses and no flats.

5.15 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 a five bedroom House in Multiple Occupation would lead to a concentration of approximately 29%. As this is below the 35% threshold provided in the Supplementary Planning Document, 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.

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

5.16 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 ‘sandwiches’ 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.

5.17 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, 2.5 cycle parking spaces would be required. It is considered reasonable to round up this requirement to three cycle parking spaces. The submitted plans show that the ground floor garage and store room will remain. This is considered sufficient space to provide cycle store in line with the requirements of the Parking Standards SPD.

Other Matters:

5.18 Appearance of the property: The removal of soft landscaping to the front of the property in order to provide additional on-plot parking through the use of block paving is not considered to be out of keeping within the local area as there are a number of properties located on Eridge Green with a similar arrangement. As outlined above in section 5.10 of this report, it is recommended that a condition should be imposed if planning permission were to be granted requiring screening to the front of the bin store enclosure to ensure this impact is mitigated.

5.19 Drainage: Given the scale of the proposed development, the proposed change of use is not considered to have an adverse impact on the capacity of the drainage system due to the extra volume of sewerage water and disposal.

5.20 Conclusion

The proposed development is considered to adhere to the provision of local and national planning policies. It is recommended that planning permission is 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 house shall not be operated with more than 6 lettable rooms at any time.

Reason: To control future intensification of the application property.

2. Within 2 months of the date of this decision, the on-site bin storage for the storage of household refuse and recyclables shown on the approved drawings shall be provided and be retained thereafter.

Reason: To safeguard the appearance of the area and the amenities of local residents to comply with saved policy H10 (iii) of the Milton Keynes Local Plan 2001-2011.

3. Within 4 weeks of the date of this decision 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.

4. Within 2 months of the date of this permission, the area of hardstanding to the front of the site to be used for parking shall be laid out and retained thereafter.

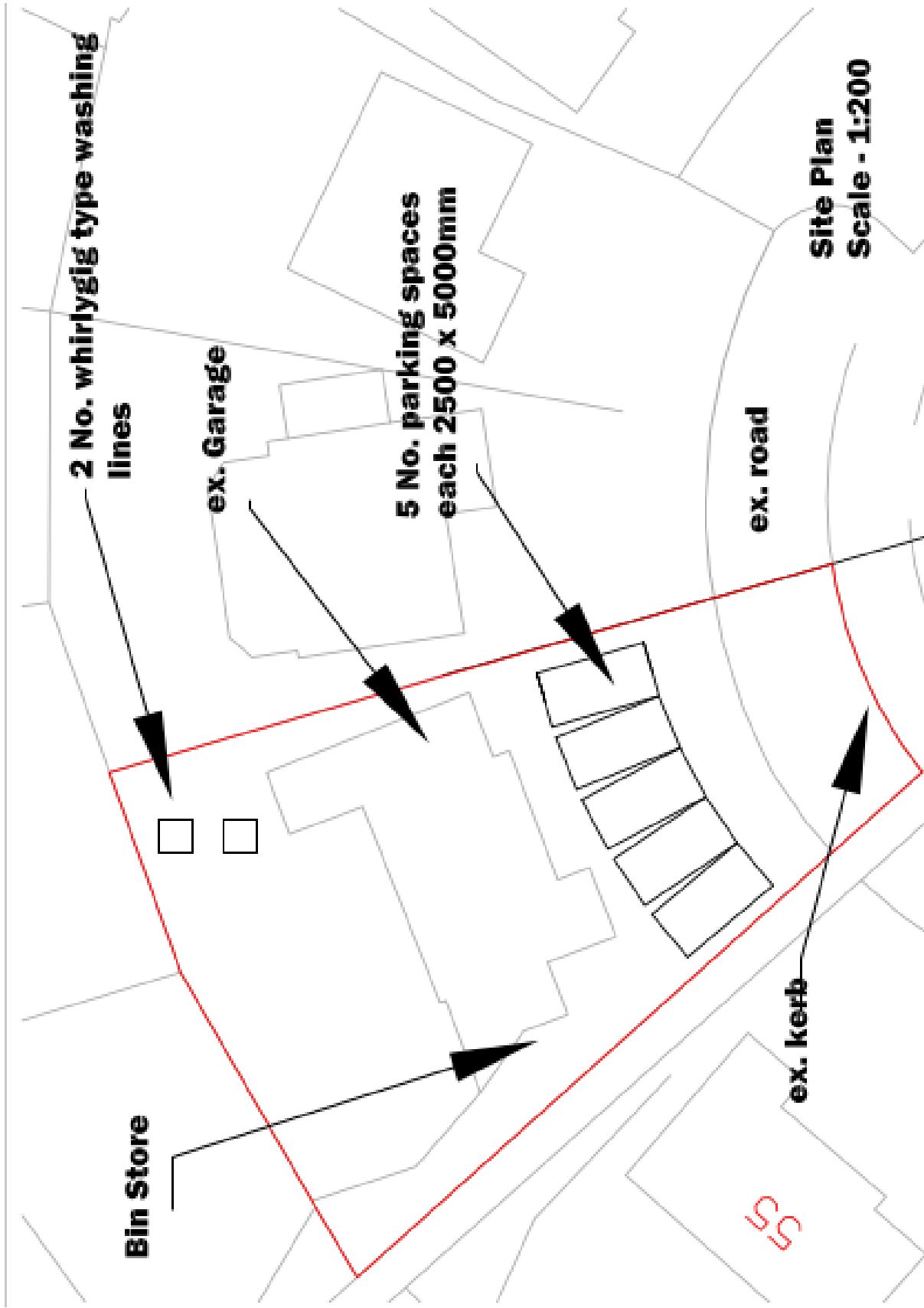
Reason: To ensure satisfactory facilities and to prevent harm to the amenities of the area to comply with saved policy H10 (ii) of the Milton Keynes Local Plan 2001-2011.

DEVELOPMENT CONTROL
 12 AUG 2016
 H.M. LAND REGISTRY
 RECEIVED

16/02088/FyL

TITLE NUMBER
BM 2289
 SECTION P
 Scale 1/1250
 © Crown Copyright 1997





2 No. whirlygig type washing lines

ex. Garage

5 No. parking spaces each 2500 x 5000mm

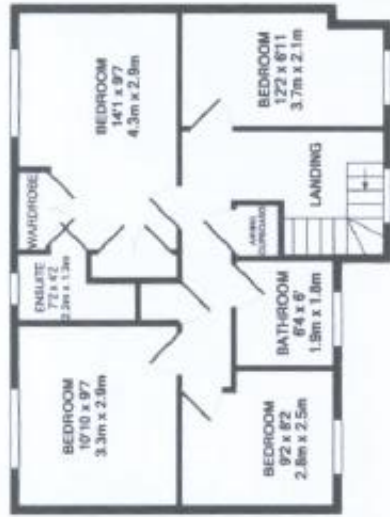
ex. road

Site Plan Scale - 1:200

Bin Store

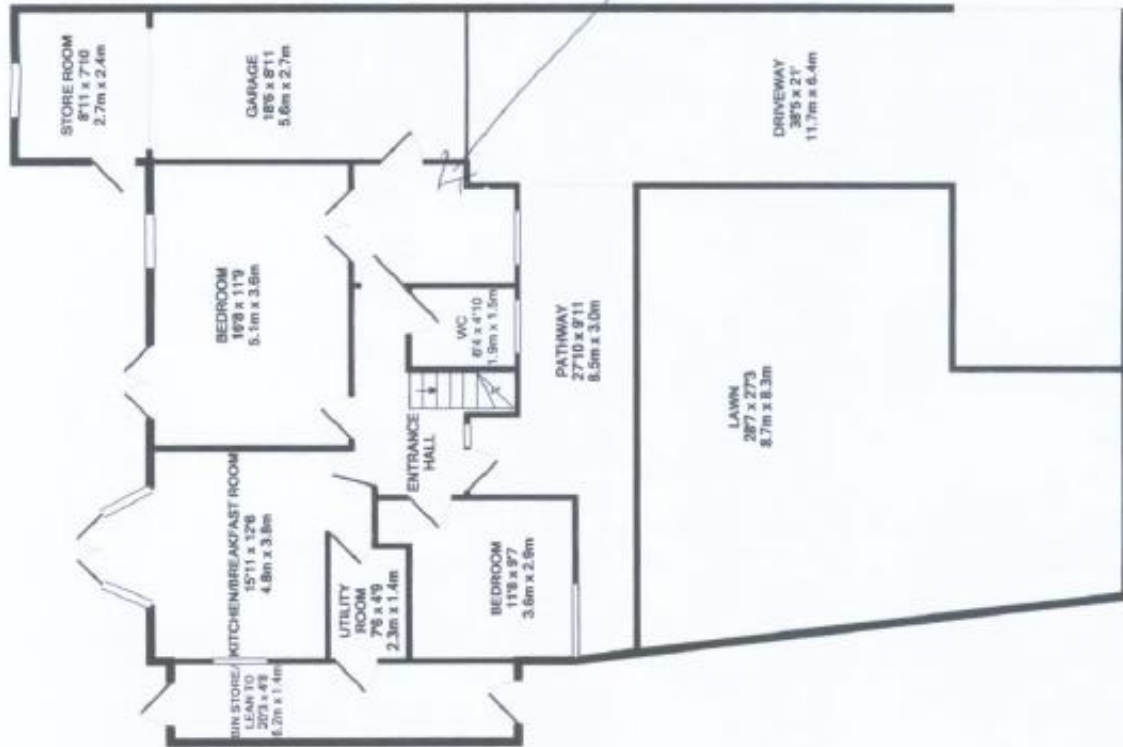
ex. kerb

55



1ST FLOOR
APPROX FLOOR
AREA 580 SQ.FT.
(64490 sq. ft.)

Amended from 7 rooms to 6 rooms



GROUND FLOOR
APPROX FLOOR
AREA 2288 SQ.FT.

Appendix to 16/02088/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 Cranfield Airport
No comments received

Noted.

Parish - Kents Hill & Monkston

Objection:

- The state of the building with rubbish left out
- No. 58 Eridge Green is also being used as a House in Multiple Occupation
- Sewage problems within the area
- Fire risk as a result of overcrowding
- Evidence of antisocial behaviour

Noted.

Adequate bin storage would be provided and a suitable condition imposed.

The assessment shows that the concentration of HiMOs on the area does not exceed the policy requirements.

The proposed use is not considered to cause harm to the existing drainage, as outlined at section 5.19.

Fire risk would be controlled through the Building Regulations and is not a material planning consideration.

Antisocial behaviour is not a material planning consideration.

Ward - Monkston - Cllr Buckley

No comments received

Ward - Monkston - Cllr McPake

No comments received

Ward - Monkston - Cllr Ferrans

No comments received

Local Residents

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

98 Crowborough Lane Kents Hill Milton Keynes

Objection, summarised as:

The proposed development would result in parking, health and safety, drainage and utilities and noise pollution issues.

Each of these matters have been responded to in the main considerations section of this report.

100 Crowborough Lane Kents Hill Milton Keynes

Objection, summarised as:

- Harm to the existing drainage network.
- Road safety and car parking
- Harm to the public footpaths and safety

The impacts on the existing drainage network are outlined at paragraphs 5.19.

The impacts on highway safety are outlined at paragraphs 5.6-5.9.

57 Eridge Green Kents Hill Milton Keynes

- Concern over the loss parking
- Drainage issues have developed since the change of use has occurred.

5 Parking Spaces would be provided as required by the Parking Standards SPD.

Noted. Discussed at paragraphs 5.6-5.9.

55 Eridge Green Kents Hill Milton Keynes

- Lack of parking
- Would set a precedent for further HiMO developments.
- Harmful to the character of the area

5 parking spaces would be provided as required by the Parking Standards SPD.

Precedent is not a material planning consideration and nonetheless, the Council have an adopted HiMO SPD with concentration restrictions.

The impact on the character of the area is discussed at paragraphs 5.4-5.15.

The following representations were also received:

82 Crowborough Road

- Lack of parking that would be of detriment to highway safety
 - The Character of the area would be harmed
 - The development may result in overdevelopment and the number of lettable rooms should be controlled.
- 5 parking spaces would be provided as required by the Parking Standards SPD.
The impact on the character of the area is discussed at paragraphs 5.4-5.15.
A suitable condition has been imposed restricting the number of lettable rooms.