

Committee Report

Item No: 7A

Reference: DC/22/03922

Case Officer: Daniel Cameron

Ward: Claydon & Barham.

Ward Member/s: Cllr Timothy Passmore. Cllr John Whitehead.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Change of use of part of a redundant care home as a house of multiple occupation creating 32No units and office (retention of).

Location

Whitton Park, Thurleston Lane, Whitton, Suffolk

Expiry Date: 08/11/2022

Application Type: FUL - Full Planning Application

Development Type: Major Large Scale - All Other

Applicant: Mr A Cowell

Agent: Mr Damian Lockley

Parish: Whitton

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The adopted Mid Suffolk scheme of delegation requires that applications for residential development of 15 or more dwellings be taken before Development Control Committee.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

CLASSIFICATION: Official

Core Strategy Focussed Review (2012)

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

Core Strategy (2008)

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

Local Plan (1998)

H09 – Conversion of rural building to dwellings

H16 - Protecting existing residential amenity

H17 - Keeping residential development away from pollution

T09 - Parking Standards

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Parish Council (Appendix 3)

Whitton Parish Council Comments received 8th September 2022

Conditions applied to the previous planning permission for apartments should be met, including securing safe access to and from the site with increased visibility and the measures necessary to ensure road safety. There have been a number of minor collisions due to poor visibility in this location and councillors are concerned that a more serious incident could occur.

As the HMO has been in place without a proper licence, councillors were concerned about whether all other safety checks had been completed.

National Consultee (Appendix 4)

N/A

County Council Responses (Appendix 5)

Fire and Rescue Team Comments received 10th August 2022

No comments relating to the planning application. Consideration to whether a fire sprinkler system should be installed within the building is noted, however, this is not a planning matter.

Highways Comments received 17th August 2022

No objection subject to conditions.

Internal Consultee Responses (Appendix 6)

Economic Development Comments received 12th August 2022

No comments.

Enforcement Team Comments received 9th August 2022

There are no live enforcement cases recorded against this site.

Environmental Health – Sustainability Comments received 25th August 2022

No objection.

Private Sector Housing Team Comments received 1st September 2022

Woodlands has been successfully run as an HMO for the past 5 years.

It has been licensed by our section, the licence has just come up for renewal and I inspected last week. The property has 32 bedrooms, a large, shared dining room and conservatory and 4 shared kitchens, one of which is very large.

Many of the bedrooms meet minimum size standards for occupation by 2 persons but the licence will be for 35 persons with the limitation being on kitchen facilities. Many rooms have their own WC and wash basin and share shower facilities, some have all these facilities and a few share bathrooms / shower rooms, WCs and wash basins.

The licence specifies the maximum number of occupiers, and conditions ensure gas and electrical safety, adequate means of escape from fire and provision of a fire detection system and fire precautions, and storage of refuse. They also ensure the licence holder, and any manager are fit and proper persons and the property is properly managed and maintained.

There have been no issues in the past 5 years and the property provides much needed bedsit accommodation in a spacious, rural setting where minimum disturbance will be caused to neighbouring properties. I would support the application.

Strategic Housing Team Comments received 30th August 2022

A commuted sum to secure affordable housing was secured as a result of a previous permission. Given this, the size of the development and the fact that this proposal will not deliver any additional floorspace or units, it is not currently considered reasonable to seek provision for affordable housing as part of this proposal.

N.B. An HMO is not, for the purposes of planning policy, a C3 residential dwelling which would normally be required to provide an affordable housing contribution either through on-site delivery or commuted sums. An HMO, for avoidance of doubt is a C4 use. The NPPF and the adopted Development Plan share this view.

Other Consultees (Appendix 7)

Ipswich Borough Council Comments received 9th August 2022

Ipswich Borough Council confirm their intention to provide comments on the application.

N.B. To date, no comments have been received from Ipswich Borough Council and the application is now outside of consultation.

B: Representations

At the time of writing this report no letters/emails/online comments have been received. A verbal update shall be provided as necessary.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/22/03922	Full Planning Application - Change of use of part of a redundant care home as a house of multiple occupation creating 32No units and office (retention of).	DECISION: PDE
REF: 2982/15	Change of use from retirement home to 18 flats + one staff flat	DECISION: GTD 08.04.2016
REF: 0897/85	Erection of extension to former bungalow to form 10 bedrooms, kitchen and dining room as part of retirement home, with layout of new car parking area.	DECISION: GTD 18.02.1986

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is Woodland Manor, previously in use as a care home, located on the eastern side of Thurleston Lane. It is a large, brick-built building located within a generously sized plot which provides a large area for on-site parking as well as a large area of shared recreational garden.
- 1.2 While a number of residential properties are noted within the immediate vicinity, the overriding character of the surrounding area is agricultural in character, with large field patterns notable, especially to the north. The edge of Ipswich is located 450m away from the site to the south and is strongly urban in character. Thurleston Lane itself is a narrow rural lane without streetlighting or a hardstanding footway.
- 1.3 Members should note the planning history of the site and particularly the decision from 2015 which allowed for a change of use of the site from care home to residential use for 18 flats, plus one management flat. It was approved subject to conditions. This was never implemented and is now lapsed; however, it does indicate that the Local Planning Authority considers a residential use to be acceptable on the site.
- 1.4 Woodland Manor is not a listed building, nor does it fall within the setting of a listed building. It is not located within a conservation area and is does not fall within a designated landscape. It is located within flood zone 1.

2. The Proposal

- 2.1 This application relates purely to the change of use of Woodland Manor from its previous planning use as a care home to its current use as a house in multiple occupation (HMO). In total 32 units with one office are noted within the building.
- 2.2 No external alterations are proposed within this application and the internal alterations to allow the creation of the HMO do not require planning permission given that they are wholly internal, and Woodland Manor is not listed.
- 2.3 It should be noted that while the works within the application are retrospective in that the building has been in use as an HMO for some time, it is still required that the application be considered on its own merits. Therefore, the fact that it is retrospective cannot be a reason to refuse to the application.

3. The Principle of Development

- 3.1 The application site is located outside of any established settlement boundary such that it falls within the countryside of the purposes of planning policy. Policy CS2 sets out acceptable forms of development that may take place within the countryside and notes that the reuse and adaptation of buildings for appropriate purposes is acceptable as set out within the other policies which form part of the adopted Development Plan.
- 3.2 Local Plan policy H09 speaks to conversion of rural buildings to residential uses. It allows for such conversions to occur where the conversion respects the structure, form and character of the building, and those important architectural features of the building are retained. In this instance, no external alterations of the building are proposed, and therefore the external appearance of the building is retained, and the proposed development would be in accordance with this policy. The NPPF contains a not dissimilar policy at paragraph 80 which allows for conversion of rural dwellings where certain criteria are met. It is not considered that the requirements for this policy are met in this instance, as it requires that the buildings be physically isolated which is not strictly the case here, however, paragraph 80 is mentioned in order to demonstrate that the direction of travel indicated within Local Plan policy H09 is not at odds with the NPPF and that policy H09 can attract material weight.
- 3.3 It is therefore considered that the principle of development is established.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Member attention in this regard is drawn towards the conclusions made within a Planning Inspectorate decision (APP/W3520/W/20/3256705) made on a site on the other side of Thurleston Lane for the creation of a glamping site. In that instance, the application was refused owing to its rural location and its impact upon it. However, with regards to the sustainability of the appeal site, paragraph 10 of the Inspectorate decision notes that the edge of Ipswich is located within 450m of the site and that while the centre of Ipswich is located some 4.68km away from the appeal site, a convenience store is located some 650m from the site and that a large supermarket is located 1.7km from the site. A bus stop is located 1.37km from the site which offers a high frequency of journeys into the centre of Ipswich. Similar conclusions are drawn with regards to the current application before Members given that it is roughly equidistant to the edge of Ipswich. It would, therefore, not be reasonable to reach a different conclusion in this instance.

- 4.2 For reference, the Chartered Institution of Highways and Transportation (CIHT) Planning for Walking document states “Across Britain about 80 per cent of journeys shorter than 1 mile are made wholly on foot”. Furthermore, the CIHT guidelines for Providing Journeys on Foot sets out desirable walking distances for journeys with acceptable walking distances of between 400 and 1000m, with the maximum of 1200m being suggested. The Department for Transport Local Walking and Cycling Infrastructure Plans Technical Guidance for Local Authorities sets out a core walking distance of 400m (approx. 5 minutes), with a 2km radius around this, extending the walking zone to 2.4km. Given this, as well as the conclusion reached by the Inspectorate on a neighbouring site, it is considered that the application site is located in a position whereby use of the services and facilities within Ipswich would be available to the residents of the site.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Access to the site is existing and is not considered to be intensifying as a result of the proposed change of use given that the number of bedrooms within the building is reduced as a result of this proposal. Consultation with the Highway Authority has been undertaken as part of this application and no objection has been made by them.
- 5.2 Comments from the Parish Council are noted with regards to perceived safety issues on Thurleston Lane. Analysis from Crashmap.co.uk data show no slight, serious or fatal accidents on this patch of Thurleston Lane since 2010. While this does not preclude minor incidents from having occurred on this stretch of road, aside from the anecdotal evidence noted in the Parish Council response, no evidence of incident is recorded.
- 5.3 The NPPF is clear with regards to refusing planning permission on highways reasons. Paragraph 111 of the NPPF states that development should only be prevented or refused if there is an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. This has not been shown in this case. Further, given that the access to the site, layout of roads within it and parking areas serving the building are all existing, it is not considered necessary to impose the conditions suggested by the Highway Authority in their entirety. Conditions to secure the layout of the access and provision of parking would serve no useful purpose given they are existing, however, conditions to secure provision of electric vehicle charging points as well as cycle parking would be reasonable.

6. Design and Layout

- 6.1 No external alterations are proposed as part of this application. As all required alterations to the building are internal and the building is not listed, there is no requirement for planning permission.

7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1 No external works that would affect the surrounding landscape, trees, ecology, biodiversity, or protected species would occur as a result of this development.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 No issues with regards to land contamination, flood risk, drainage and waste are noted with regards to this application. The residential use of the site was established in 2015 and found to be acceptable in terms of land contamination. With regards to flood risk, the ability of the site to absorb run-off water would not be altered as a result of this application and the site already benefits from connection to the sewer network and an agreed commercial waste disposal contract.

9. Impact on Residential Amenity

- 9.1 Woodland Manor is an existing building such that the impacts of the building on the amenity of neighbouring properties is already in place. As no external alterations are proposed as part of this application it is considered that existing amenity would be maintained. It is noted that no issues have been reported to the Private Sector Housing Team or Enforcement Team in this regard.

10. Parish Council Comments

- 10.1 Comments from Whitton Parish Council are appreciated and noted. However, no issue with regards to the access is noted through consultation with the Highway Authority and no incident data since 2010 is recorded by Crashmap.co.uk which pools data from the Department of Transport and the Police, as such it is not considered that no reasonable justification exists in order to impose the access conditions suggested.
- 10.2 With regards to whether the appropriate checks have been undertaken with regards to the HMO use, the comments from the Private Sector Housing Team provides certainty that the required safety checks have been made.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1 With regards to the application it is considered that the application for change of use is acceptable. While the application is retrospective this is useful as it gives a clear indication on the impacts of the development. No third-party objections have been noted in response to the application and no issues are noted with regards to enforcement or the HMO licence on the site.
- 11.2 Given the size and scale of Woodland Manor it lends itself to a use which concentrates occupation within the site. The proposed HMO on site achieves this and does not alter the surrounding rural landscape or character of the area. The site is located close enough to the edge of Ipswich to enable residents to make use of the services and facilities within Ipswich itself.
- 11.3 On balance, it is considered that the application is acceptable, confirming the use of the building results in no material considerations that suggest that the application should be refused.

RECOMMENDATION

That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved plans.
- Provision of electric vehicle charging points within the scheme.
- Provision of cycle storage within the site.

And the following informative notes as summarised and those as may be deemed necessary:

- Pro-active working statement.