

APPLICATION NO PA/2010/1445

APPLICANT Mr M Bhangu

DEVELOPMENT Planning permission to convert building into three apartments

LOCATION 26 Cornwall Road, Scunthorpe

PARISH SCUNTHORPE

WARD Ashby

SUMMARY RECOMMENDATION Grant permission subject to conditions

REASONS FOR REFERENCE TO COMMITTEE Third party request to address the committee

POLICIES

North Lincolnshire Local Plan: Policy H5 (New Housing Development) requires all new housing developments to be well related to existing infrastructure; be in keeping with the scale and character of the settlement; have an appropriately designed access with adequate parking facilities; and not result in overlooking or loss of privacy of adjacent land uses.

Policy H8 (Housing Design and Housing Mix) requires new residential development to respect and reflect the form, scale, massing, design and detailing of the local environment; have a high standard of design and layout; provide residents with a sense of identity; and contain an appropriate mix of dwelling size and types.

Policy H6 (Flats above Shops and the Use of Vacant Buildings for Housing) states that the use of premises above shops for residential uses will be permitted provided that there is no conflict with existing land uses and there is adequate access and car parking nearby. Elsewhere the council will seek to maximise the residential use of both vacant and under-used housing. The conversion of under-used commercial premises in town centres for housing will be permitted provided that there is no conflict with existing land uses, access, parking and the environment.

Policy DS1 (General Requirements) also applies as quality of design and amenity are important considerations.

CONSULTATIONS

Highways: Advise conditions (3 to 6).

PUBLICITY

Neighbouring properties have been notified by letter. Letters of objection have been received citing the following concerns:

- the application site has been left in an untidy state by the applicant, who would be responsible for looking after the proposed garden to the front of the property
- noise disturbance if sound proofing is not adequate, particularly upstairs
- three flats in the property would result in a fire hazard
- the property should revert back to a semi-detached dwelling and not flats with a shop front
- the landlord will not look after the tenants' interests
- how can we be sure that the work will be carried out to a high standard?

ASSESSMENT

The application site is a two-storey semi-detached dwelling on a corner plot, located in a residential area of Scunthorpe. Neighbouring properties are also two-storey semi-detached residential properties. The property has most recently been used as a shop with residential accommodation above. Planning permission is sought for the change of use of the disused shop to three flats: two, one-bedroom flats at ground floor and a two-bedroom flat at first floor. This will include some external alterations to the property such as removing the existing single-storey extension to the front and installing a bay window to match the adjoining property, and replacing the existing front and side areas of tarmac with garden.

There was a previous application on the site (PA/2008/0045) to erect a two-storey extension and use the building as extended as five studio apartments. This was refused and subsequently dismissed at appeal on the grounds of over-development of the site, being out of character with the area, the visual impact of the two-storey extension and its adverse impact on neighbours. The appeal was dismissed on the impact of the extension and large rear parking area on the character and appearance of the area. The inspector stated that the development (for five apartments) would be unlikely to significantly affect the living conditions of neighbours. A further application (PA/2010/0466) was submitted but was subsequently withdrawn.

The main issues to consider when determining this application are whether or not the proposed conversion into residential flats would be out of character with the area and whether or not it would adversely harm the amenity of neighbouring dwellings.

Policy H6 of the North Lincolnshire Local Plan supports the conversion of under-used/vacant shops into dwellings provided that the residential use of a building does not conflict with existing uses in the surrounding area. Upon inspection of the site it is apparent that the proposal does not conflict with policy H6. Oxford Road and Cornwall Road are residential areas and a residential use of this redundant building would bring it back into use, rather than letting it decline and become an eyesore affecting the character and amenity of the area. Neighbours have complained about the current state of the site and that due to it being left vacant it has become detrimental to the appearance of the area. The proposed development will bring the vacant building back into use and will remove an unsightly single-storey extension to the front elevation, replacing it with a bay window similar to those found on neighbouring properties; the unsightly area of tarmac to the front and side of the property will also be removed and replaced with an area of lawned garden surrounded by a 0.9 metre high boundary wall in keeping with surrounding properties. The

external appearance of the building will resemble a normal semi-detached dwelling, similar to neighbouring properties; only the internal arrangements will differ. The proposed development of the site would therefore vastly improve the visual appearance of the area.

The main issue of concern is the effect on the quality of life of the residents of the adjoining semi. The converted building would result in a flat being located right next to their main bedrooms. Whilst no details of sound-proofing have been provided, a condition is proposed preventing any development from taking place until a sufficient sound-proofing scheme has been agreed with the local planning authority. Once agreed the soundproofing will have to be in place before the flats are occupied. This condition will ensure that there is no noise disturbance to neighbours as a result of the proposed change of use. As previously mentioned, a previous application on the site was refused and subsequently dismissed at appeal: in his decision the inspector concluded that the use of the site for five apartments would be unlikely to significantly affect the living conditions of neighbours. As such it is considered that the use of the premises as three residential flats with an adequate scheme of soundproofing would not impact on the amenity of neighbouring properties.

The proposed development would have to be carried out in accordance with building and fire regulations and as such the use of the building as three residential flats will not result in an unacceptable fire hazard or be a danger to tenants or neighbours. This will also ensure that all work is carried out to a sufficiently high standard of construction.

Many complaints have been received regarding the applicant's previous neglect of the site and treatment of tenants, however these are not material planning considerations and do not constitute a reason for refusal. The proposed development will bring the currently vacant and neglected site back into use and occupation and will improve its appearance. The applicant will have to comply with all other relevant legislation should he receive planning permission and the treatment of tenants would be covered by legislation completely separate and unrelated to planning.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: B.05/10/01 and B.05/10/02.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.
Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

Nothing shall at any time, whether permitted by the Town and Country Planning (Development Management Procedure) (England) Order 2010 or not, be erected, retained, planted or allowed to grow over 1.05 metres in height above the level of the adjoining carriageway for a distance of 2 metres from the highway boundary across the site frontage.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The proposed vehicle parking facility to the rear of the property shall be hard paved and marked out into bays prior to the occupation of any of the flats.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

7.

None of the flats shall be occupied until the building has been sound insulated in accordance with details to be agreed in writing by the local planning authority beforehand, and once installed the sound insulation shall be retained thereafter.

Reason

To protect the living conditions of nearby dwellings in accordance with policy DS4 of the North Lincolnshire Local Plan.



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