DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0934-18**	**Applicant:**	**Mrs Sara Dawson**
Proposal:	Change of use of domestic dwelling to serviced accommodation (Class C1)		
Location:	63 West Elloe Avenue Spalding		
Terminal Date:	17th December 2018		

Planning Policies

Local Plan July 2016:

SG1	General Sustainable Development
SG2	Distribution of Development
SG3	Settlement Hierarchy
SG12	Sewerage and Development
SG13	Pollution and Contamination
SG14	Design and Layout of New Development
SG15	New Development: Facilities for Road Users, Pedestrians and Cyclists
SG16	Parking Standards in New Development
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

Sections 2, 4, 5, 6, 9, 11, 12, 14

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
RESIDENTS	55	0	0	9

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought to convert a four bed detached house to serviced accommodation (Class C1). A total of 7 bedrooms would be provided (6 single and 1 double), including conversion of the integral garage. More specific details are outlined below (see information from applicant). The requisite notice has been served upon the current owner of the property.

Site Description

The site is occupied by a four bed detached house and associated garden. It is situated within a residential area on the northern side of West Elloe Avenue and is accessed via a spur road. Detached houses are situated to the east and west of the property.

Representations

Cllr G Taylor - Strongly object to this application. I believe this settled residential community is the most inappropriate location for this type of application. There are a number of potential problems with this application. Converting a four bedroom property into a seven bedroom property is overcrowding, which can lead to conflicts between the tenants and also the neighbouring residents. This property is not designed for the expected increase in vehicles, with potential damage to the attractive grassed areas opposite, as well as increased traffic, noise and disturbance during all hours of the day and night. If approved I believe this would have a detrimental effect on the character of the environment in this area, which is a major entrance to the town of Spalding. As the district councillor for this ward, I would recommend this application is debated and decided at the public planning committee.

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

John Hayes MP - My views remain unchanged from my objection to the original application - H16-0728-18. West Elloe Avenue is a well sought after residential area for many home owners, and residents do not want this type of property in their locality.

I know from correspondence I have received from neighbours of other houses in multiple occupation in my constituency, this type of accommodation and on this scale can cause anti-social behaviour issues; the occupiers may work unsociable hours so there can be traffic movements throughout the day and night. Parking for this number of occupiers may be an issue. Noise nuisance could be another problem, along with the amount of refuse a property of this size would create.

I have no doubt that this proposal would lead to loss of amenity for local residents of nearby properties and I strongly object to the application.

Public - Objections/concerns received from local residents (see table above). The main issues raised include the following:
Unsuitable use in a residential area; Tantamount to HMO; Harm character/appearance of the area; Increase in traffic; Congestion; Inadequate parking; Highway safety; Harm amenity of local residents; Lack of privacy; Noise and disturbance; Anti-social behaviour; Extra strain on local services/sewerage; Management/staffing issues; Fails to meet space standards; Maintenance issues; Health and safety; Fire risk; Refuse/litter problems; De-valuation of property, etc.

Information from applicant (summarised):

Serviced accommodation refers to fully furnished properties which are available for both short and long term let. This type of accommodation may also offer facilities like those offered by hotels and B&B's, but usually without providing breakfast.

Serviced accommodation tends to be used by companies that need to relocate teams into areas for long term contracts, enabling them to have some facilities they have at home, and to integrate more with the local community. But more than that, they are convenient and comfortable for guests who will be happier in their own space, can cook their own meals in the kitchen, and relax in the communal area if they so choose. It might be a company booking for a staff member, somebody who needs to stay in the local area, or who is working in the area for three or six months.

Local agents have confirmed there is a demand for serviced accommodation in Spalding because there are similar units in Spalding that have integrated in the community. The property would be managed by a local Spalding letting agency that have experience in the industry and who can provide a prompt service for guests.

With the research that has been undertaken, it is thought that Spalding would benefit from a serviced accommodation giving a homely alternative from hotels for contractors and visitors to the area. This will definitely not become an HMO, and we are not applying for an HMO licence.

The majority of guests will stay between 1 - 3 nights, but there might be a few contractors whose accommodation has been organized by a local company and could stay a few weeks at a time. This does not make it an HMO though as the company will be paying per night.

The guests would book their room through the usual portals that other hotels and B&B's use - AirBnB, Booking.com etc, and before arriving they will be sent (via email or text) a key code number for entry to the property. All upkeep of the property is looked after by local management agents who would immediately alert the owner if any concerns are raised or repairs are required. Cleaners would come in to change over the room after every departure, and if the guest was staying for more than 3-5 days, their rooms would be attended to. The cleaners would also regularly clean all common areas such as the bathrooms and kitchen.

Each room will have their own key that guests will collect from the key box which their unique code will activate.

Material Considerations

The main issues in this case are:

-Whether the proposal would be a sustainable form of development taking into consideration economic, social and environmental factors, including its effect upon the character and appearance of the locality;
-The likely impact upon the amenity of nearby residents;
-Highway safety;
-Other material considerations such as flood risk and drainage.

Principle/Sustainabilty

As indicated in paragraph 47 of the National Planning Policy Framework, 2018, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Policy SG1 of the South Holland Local Plan, 2006 indicates that planning permission will be granted where the Council is satisfied that the proposal is consistent with the principles of sustainable development. Policy SG2 goes on to stress that proposals must be located having regard to sustainable development principles. Local Plan Policies SG14, SG15, SG16 and SG17 specifically relate to such matters as character/appearance, amenity and highway safety. The proposal cannot be assessed against Local Plan Policy HS18 because it is not classified as a HMO.

The above policies are consistent with advice within the National Planning Policy Framework. Paragraphs 10 and 11 of the Framework indicate that there is a presumption in favour of sustainable development and planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework. The three mutually dependent dimensions to sustainable development are social, economic and environmental.

An Economic Role - the proposal may bring some economic benefits because future occupants may well work locally, support local services and make a contribution to the local economy.

A Social Role - the proposal would make a contribution towards the supply of serviced accommodation within the area. The property is located within the built up area of Spalding and would be readily accessible to existing services, facilities and employment premises within the town, plus public transport.

An Environmental Role - The site is located within a pleasant and well maintained residential area

within the town. By its very nature the proposed use would result in a significant number of people staying at the property at any time with a considerable amount of activity associated with this use. In reality, it is possible that the property would not be maintained to the same high standards as other family homes within the vicinity. Moreover, the proposal would generate a large number of parked vehicles both on site and within the immediate vicinity of the property. The general locality within which the property sits is predominantly family homes. It is considered that the proposed intensity would be out of character in relation to its location.

Residential Amenity

Many of the objections raised relate to the adverse impact the proposal would have on residential amenity, ranging from an increase in noise and rubbish to the disturbance by vehicles and the increased movements by persons staying at the property, especially during anti- social hours. The property is surrounded by residential properties, some of which are sited in very close proximity to its curtilage. Given the close proximity to the neighbours and notwithstanding the relationship to West Elloe Avenue it is likely that disturbance would be likely with the increase in movements that persona staying at the property would create. The roadway is relatively secluded from the main thoroughfare and does not experience the comings and goings associated with persons living directly on West Elloe Avenue, for example. Consequently, any increase in movements would be more readily apparent to existing residents.

Residents in their objections have mentioned issues of anti-social behaviour. However, there is not sufficient evidence to indicate that this would occur.

Highway Safety

Concerns have been raised on grounds that the proposal would result in an increase in traffic, create parking problems and congestion and be detrimental to highway safety. These matters have been discussed with Lincolnshire County Highways, who are of the opinion that there is sufficient parking available on or in close proximity to the property. They do not wish to restrict the grant of permission on highway safety grounds.

Other Material Considerations

Flood Risk - The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken. The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within an area identified as "Danger to Most". The proposal is introducing bedrooms onto the ground floor and is therefore considered to be a more vulnerable use with an increased risk to occupants. There are alternative sites within Spalding that are at a lower risk of flooding. Consequently, the proposal fails to satisfy the sequential test.

Drainage - Surface water drainage would remain unaltered. Foul water would be disposed of to the mains sewer as presently. The latter falls within the remit of Anglian Water.

Other Matters - Concerns have been raised on health and safety and fire risk grounds. However, these matters fall within the remit of separate legislation.

Conclusion

Whilst the proposal would bring some economic benefits to the area and make a contribution towards the supply of serviced accommodation within Spalding, this is significantly outweighed by other adverse factors. The proposed intensity of use would be out of character with the domestic nature of surrounding dwellings and would cause a significant and adverse impact on residential amenity by way of noise and disturbance and levels of activity out of keeping with this residential area. The proposal is therefore contrary to Policies SG14 and SG17 of the South Holland Local Plan, 2006 and to the provisions of the National Planning Policy Framework, 2018.

Moreover, the South East Lincolnshire Strategic Flood Risk Assessment (2017) indicates that the site is within an area identified as "Danger to Most" in flood risk terms. The proposal is introducing bedrooms onto the ground floor and is therefore a more vulnerable use with an increased risk to occupants. There are alternative sites within Spalding that are at a lower risk in flood risk terms and are therefore sequentially preferable. This is in accordance with advice within Section 14 and specifically paragraph 158 of the National Planning Policy Framework, 2018.

Recommendation

That the application be refused under delegated powers.