



Appeal Decision

Site visit made on 21 November 2017

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th December 2017.

Appeal Ref: APP/H0520/W/17/3181227
10 Bushmead Road, Eaton Socon PE19 8BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Clemson, Tracscare against the decision of Huntingdonshire District Council.
 - The application Ref 17/00611/FUL, dated 22 March 2017, was refused by notice dated 1 June 2017.
 - The development proposed is the change of use of current garage store to living accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of the current garage store to living accommodation at 10 Bushmead Road, Eaton Socon PE19 8BP in accordance with the terms of the application, Ref 17/00611/FUL, dated 22 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Drawing No 02; Site Plan 199067 and Block Plan.
 - 3) The development hereby permitted shall not be occupied until the window on the west elevation serving the bathroom has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Procedural Note

2. Since the Council determined the application, the Huntingdonshire Local Plan to 2036: Consultation Draft has gone out to consultation. The Council consider that Policies LP13 and LP25 would be relevant to this appeal, however as this is an emerging document with consultation responses yet to be assessed it carries little weight in the consideration of this appeal. I have therefore determined the appeal on the basis of the current adopted policies.

3. An amended plan has been submitted with the appeal to provide an alternative arrangement within the building to allow for the roof lights to provide additional natural light (Drawing No 02 Revision A). However, this plan shows a materially different arrangement within the property that was not part of the Council's considerations of the scheme. As such, I consider that should this plan be progressed it would need to be presented to the relevant parties, including neighbours, in the interests of fairness. As such, I have considered the appeal on the basis of the original plan submitted as part of the application (Drawing No 02).
4. The description of development when the application was originally submitted was the change of use of current garage store to bedroom. However this was changed from bedroom to living accommodation by the Council during their consideration of the proposal. As the proposed development includes a living area, kitchen and bathroom in addition to a bedroom I have proceeded on the basis of the Council's amended description as this more accurately describes the proposal.

Main Issue

5. The main issue is whether the proposed development would provide suitable living conditions for future occupiers.

Reasons

6. The site comprises a large corner plot on the junction of Bushmead Road and Ockenden Close. Within the site is a large building, Oakley House, which is in use as a residential care home and an associated outbuilding used for storage, located in the north-westernmost part of the site. The outbuilding is modest in scale with storage facilities at both ground and first floor. The proposal would convert the ground floor of the outbuilding for use as residential accommodation in association with the existing care home.
7. The outbuilding is located close to the boundaries of the site which sit alongside both side and rear elevations of the property. The front elevation of the outbuilding faces onto a shared outdoor space with the main building located beyond, to the south. Whilst the proximity to the boundary fencing on 3 sides would result in some degree of overshadowing to the interior of the building, the proposed conversion includes the provision of an additional pair of doors to the front elevation. This would allow additional light into the property. The proposed main habitable living room/bedroom area is to be located to the front of the building and as such, these main areas would benefit from light from the additional doors. Although the kitchen and bathroom would have some reduction in natural light due to the proximity of the side boundaries, I consider that the level of natural light to the main part of the property would be acceptable and therefore the living conditions of future occupiers would not be unduly harmed in terms of natural light within the property.
8. The location of the proposed accommodation would result in no private outdoor space serving the property, and the outlook for future occupiers would be directly onto a shared outdoor area that is used for the residents of the main dwelling. However, the new accommodation would be used in conjunction with the residential care home and would not be a separate unit of unrelated accommodation. As such, it is reasonable to expect any future occupiers of the property to use the shared outdoor space along with the other residents.

9. The appellant advises that the purpose of the accommodation is to provide much needed living accommodation that would provide a degree of independence for the occupier whilst still retaining a close connection with the residential care home which would be a benefit to those residents progressing towards independence. I have given this significant weight in my considerations of the proposal.
10. For the above reasons, the proposal would allow adequate light and outlook and would not be harmful to the living conditions of future occupiers of the building. Furthermore, the proposal would be beneficial in providing additional accommodation for those who need it within the site of the existing residential care home. The proposal therefore complies with Policy H31 of the Huntingdonshire Local Plan (1995) which seeks to ensure that conversions of existing buildings to provide separate units of accommodation will only be permitted where appropriate standards of privacy and amenity can be maintained. It also complies with Policy LP15 of the Draft Huntingdonshire Local Plan to 2036 (2013) which seeks to ensure a high standard of amenity is provided for future users.

Other Matters

11. Local concerns have been raised in relation to the potential for harm to the living conditions of adjoining occupiers in terms of additional parking, increased activity within the site, loss of storage, potential damage to the boundary walls and disruption during the construction phase. The proposal seeks to retain the storage area at the first floor of the bounding and although it would include roof lights to both sides of the roof plane, these would serve the storage area and would not result in any harm in terms of overlooking or loss of privacy. The level of activity and additional parking resulting from a single unit of accommodation would be minimal and unlikely to result in harm to the living conditions of adjoining residents. It is accepted that there may be some disturbance during the construction works however this will be temporary and the location of the building within the site would limit the amount and size of machinery that could be used on site. As such, there would not be undue harm caused to adjoining residents for the above reasons.

Conditions

12. In addition to the standard time limit condition I have attached a condition listing the approved plans as this provides certainty. A condition requiring the window to the west elevation, serving the bathroom, to be obscure glazed is necessary in the interests of protecting the living conditions of neighbouring residents.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

R Norman

INSPECTOR