

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 15 SEPTEMBER 2016
REPORT OF THE DIRECTOR (GOVERNANCE)

6/2016/0093/FULL

69 BRAMBLE ROAD, HATFIELD, AL10 9RZ

CHANGE OF USE FROM RESIDENTIAL DWELLINGHOUSE (CLASS C3) TO
RESIDENTIAL CARE HOME

APPLICANT: Mr & Mrs M Ogiogwa

(Hatfield West)

1 Site Description

- 1.1 The application site comprises a detached, five bedroom, two-storey house and its front and back gardens. It is positioned on the south side of Bramble Road on the outside of a bend in the Road so that the side boundaries splay and the rear of the site is wider (30m) than the front (8m). The rear garden is approximately 45m long and covers an area of approximately 675sqm. There is an outbuilding in the rear garden which has been used as a gym and contains a shower.
- 1.2 The property has been extended over the years and has remained in use as a single family dwelling house.

2 The Proposal

- 2.1 Full planning permission is sought for change of use to supported residential accommodation (Use Class C2- Residential Institution) with 9 bedrooms. The house would not be extended.
- 2.2 The proposed accommodation would provide supported housing for people with mental health issues who are not able to live independently. Support would be given in accessing medical services, independent living skills and taking up training and employment opportunities. The applicant intends to provide a stable environment and to help prevent homelessness.
- 2.3 The accommodation is intended for young people to assist them in moving on to independent living. There would be two wardens on the site 24 hours a day. The applicant has indicated that the residents would be carefully selected and only those in full time education or on apprenticeship schemes would be considered.
- 2.4 The property would not be extended but internal adaptations would be made. Three submitted plans show four bath/shower rooms, a communal kitchen with separate dining area and a large lounge. Five bedrooms would be on the first floor and four on the ground floor at the rear of the property. The rear garden would be available as a communal garden area for the residents. The outbuilding would be retained as an exercise room.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because Hatfield Town Council has objected to the proposal.

4 Relevant Planning History

- 4.1 S6/1990/0783/FP – Conservatory and pitched roof over flat-roofed side extension. Granted 15.2.1991.
- 4.2 S6/1990/0519/FP - Extensions and alterations (two storey side extension). Granted 07 August 1990.
- 4.3 S6/1979/0834/FP – Two storey rear and ground floor side extensions. Granted 24.1.1980.
- 4.4 S6/1979/0409/FP – Front Porch. Granted 6.9.1979.

5 Planning Policy

- 5.1 National Planning Policy Framework
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Supplementary Design Guidance, February 2005
- 5.4 Supplementary Planning Guidance, Parking Standards, January 2004
- 5.5 Interim Policy for Car Parking Standards and Garage Sizes, August 2014

6 Site Designation

- 6.1 The site lies within the settlement of Hatfield. The site's rear boundary abuts the Green Belt, Landscape Character Area (Colney Heath Farmland) and Watling Chase Forest as designated in the Welwyn Hatfield District Plan 2005. The site rear boundary is also within close proximity to the edge of land related to Great Nast Hyde House, a Grade II* listed building (approximately 40 metres away).

7 Representations Received

- 7.1 The application was advertised by means of neighbour notification letters. Eleven representations have been received from neighbours. Their comments may be summarised as:
- How would the property be adapted for residential care?
 - Insufficient car parking for staff and visitors of a care home
 - Communal facilities appear limited.
 - Where are the office and warden accommodation?
 - Concern about access for disabled people
 - Cars would park on the road, which has restricted space, and would cause congestion.
 - Increase in daily traffic from and to the site (visitors, doctors, physiotherapists, social workers).
 - Emergency vehicle noise potentially 24hrs a day
 - Change of use to commercial

- May affect property prices
- Additional refuse could result in unsightly rows of bins or skips
- Traffic noise from extra refuse collection
- Size of building would look out of place and dwarf surrounding houses.
- Noise from traffic, ambulances, household noise and upset residents would harm the tranquillity of the road.
- Inadequate bathrooms, utility rooms and kitchens in the proposal
- Area of family homes commercial use not appropriate
- Increased traffic a danger to children

8 Consultations Received

8.1 No response has been received from the following consultees. Comments were due by 25.4.2016

- Hertfordshire County Council Adult Care Services and
- National Health Service (East and North Herts CC Group).

8.2 **Hertfordshire County Council Transport Programmes and Strategy (HCCTPS)** - no objection based on the limited scale of the proposal, presence of existing parking controls and highway arrangements.

8.3 **Welwyn Hatfield Borough Council Client Services Department** - Comments that as the property would be changing from a domestic property to a business it would require a Trade Waste agreement. The owners would be able to choose their own contractor to provide that service.

9 Town / Parish Council Representations

9.1 Hatfield Town Council object to the proposal for the following reason:

“There are insufficient staff amenities, insufficient parking spaces, this development is inappropriate in a residential area and will have an adverse impact on neighbouring properties.”

10 Analysis

10.1 The main planning issues to be considered are:

- 1. The Principle of the change of use (GBSP2, H9 Special Needs Housing)**
- 2. Respects and relates to the character and context of the area, as a minimum maintaining and where possible enhancing or improving the character of the existing area (D2)**
- 3. The impact on the living conditions of future occupiers of property(D1, D2, SDG 2005)**
- 4. The impact on the living conditions of existing and future occupiers of neighbouring properties(D1, D2, R19, SDG)**
- 5. Other planning matters**
 - (i) Highways and parking (M14, SPG 2004, Interim Policy 2014)**
 - (ii) Refuse and recycling (D1, SDG 2005)**

1. The Principle of the change of use

- 10.2 Policy H9 of the Welwyn Hatfield District Plan 2005 identifies that up to 12.5% of households comprise people who need specialist forms of housing. The Council considers it important that these needs are met in locations close to community facilities and services and in types of housing to fit their requirements. Policy H9 states that

'The Council will grant permission for schemes which provide special needs accommodation particularly in town centres or in areas which are close to community facilities and services. Incorporation of special needs housing schemes in residential development in central areas will be encouraged.'

- 10.3 The application site is located within the settlement of Hatfield, which is identified in the Welwyn Hatfield District Plan Policy GBSP2 as one of the two towns where development will be concentrated. The site is in Ellenbrook, a residential area of south west Hatfield, which is close to the facilities at the Galleria and the district shopping centre of Harpsfield. Within walking distance there are nearby public transport connections associated with those centres.
- 10.4 The applicant is a Registered Manager and has provided the following information regarding the proposed use. The proposal is to provide a supported housing scheme for people who require assistance in learning skills to live independently. The support given would include access to treatment services, assistance with independent living skills, help with taking up education, training and employment opportunities, assistance in getting benefits where appropriate, and encouragement to develop social networks. The proposal does not include nursing care. The Care Quality Commission would be responsible for assessing the quality of care and support given.
- 10.5 The proposed use would, in principle, be in accordance with Policy H9 in providing supported accommodation for an identified group of people. The proposed change of use to C2 would be for a maximum of nine residents. Two wardens would be present at any one time.

2. Respects and relates to the character and context of the area, as a minimum maintaining and where possible enhancing or improving the character of the existing area

- 10.6 While no extensions are proposed to the building the nature of the use would be changed from a single household dwelling to supported accommodation. The enclave of Bramble Road is typified by single household properties. According to Council-held records there is one HMO at No 4 Bramble Road and until recently there were two in Poplars Close. Information from the NHS website shows that there are no registered supported living facilities or care homes in Bramble Road. There are two without nursing care in the vicinity (Ellenbrook Lane and Wilkins Green Lane) and none with nursing care. The local vicinity is, therefore, predominantly single household dwellings.
- 10.7 The proposal would introduce a different use within Use Class C than is currently represented in Bramble Road. Neighbouring residents have commented that the area is residential and commercial uses are inappropriate. However, the proposed use would be residential and the principle focus supported accommodation. Given the scale of the proposal and predominance of single

households the main character of the area would not be unduly affected. The premises would employ wardens; there would be two on the site at all times, but these would be non-resident and their role would be to support the residential use. The change of use of one property would not result in an overconcentration of such types of use in the area.

- 10.8 Issues associated with noise from residents are a matter related to the management of the premises rather than planning issues. Vehicle trip generation and car parking are considered under Section 5 (i).

3. The living conditions of future occupiers of property

- 10.9 While the National Planning Policy Framework (NPPF) and Welwyn Hatfield District Plan 2005 do not have standards relating to this type of accommodation, it is likely that the number of occupants would be limited through inspection and registration with the care services. The property would provide a domestic style of accommodation with self-catering facilities in a communal kitchen and dining area and a communal lounge. There would be four bathrooms serving nine bedrooms. The rear garden is a generous size as the site splays out to the rear. The area of 1,300sqm, is a functional and usable space, is of ample size and would be available for all of the residents to use. The outbuilding would be retained as an exercise room with a shower. There is adequate space for bin and cycle storage and drying areas within the rear garden.
- 10.10 The proposal as submitted does not allocate provision for an office or meeting room for the wardens to use in their supervisory role. It is anticipated that there would be a requirement for some sort of office space where administrative records could be securely stored and meetings held. It is recommended that space be allocated for this purpose at ground floor in place of one of the bedrooms. This would reduce the number of potential occupants by one to eight.

4. The impact on the living conditions of existing and future occupiers of neighbouring properties

- 10.11 The impact on the living conditions of existing and future occupiers of Policies D1 and the Supplementary Design Guidance (2005) (SDG) aim to preserve neighbouring amenity. The SDG sets out the Council's guidelines with regard to residential development for the protection of neighbouring residential amenity and living conditions in terms of overbearing impact, day and sun light and privacy/overlooking. Where changes of use occur issues of noise are also considered.
- 10.12 The properties most likely to be affected by the proposal are No's 71 and 67 Bramble Road and house opposite at No's 38-42 (evens).
- 10.13 The proposal does not involve any extensions or alterations to the building fabric that might affect the light and privacy at neighbouring properties. The change of use would intensify the residential use of the site to some extent. Policy R19 states that uses which generate unacceptable noise would not be considered acceptable. The proposed use, however, would be residential and would be unlikely to give rise to significant or consistent levels of noise that might cause a disturbance or nuisance to surrounding residents. Issues of traffic noise are dealt with below under highway and parking matters.

5. Other planning matters

(iii) Highways and parking

10.14 Policy D5 of the Welwyn Hatfield District Plan 2005 requires all new development to make provision for pedestrian, cyclist and passenger transport facilities. Parking and traffic management provision must be included in new development. The existing access to the site would not be altered. Hertfordshire County Council Transport, Programmes and Strategy (HCCTPS) has commented that the proposed use of the site would not generate a significant increase in the number of trips at peak times and the potential for conflict is minor. The road width of 5.75m allows for two-way traffic. The speed limit of 30mph and the vehicle crossover at the site, which would be retained, provides acceptable visibility in each direction.

Parking

10.14 The Council's Local Plan Policy M14 and the Parking Standard Supplementary Planning Guidance (SPG) use maximum standards which are not consistent with the NPPF and are, therefore, not afforded significant weight. In light of the above the Council has produced an Interim Policy for Car Parking Standards and Garage Sizes that states that parking provision will be assessed on a case by case basis and the existing maximum standards within the SPG should be taken as guidance only.

10.15 The car parking requirement for residential institutions include different categories of care. The proposed use would have potentially eight young adult occupants and two staff at any one time. Two wardens present on the site at any one time but living off-site would require two parking spaces on-site. The parking requirements for other uses, particularly for staff, within Use Class C2 may vary considerably and due consideration needs to be given to the needs of each type of residential institution. Therefore, it is recommended that the use within Class C2 is restricted to supported living accommodation.

10.16 In this proposal the residents would be young adults and, given their requirement for supported living, car ownership rates would be low. Some short term visits from support professionals could be expected but these are unlikely to be numerous. The recommended standard for residents and visitors for residential institutions is, on average, 1 space per 5 bed-spaces. The requirement for this proposal, assuming eight bedspaces, would be two car parking spaces on-site for residents and 2 cars for wardens. There is currently open parking for up to four cars on the hard-standing on the site frontage. The proposal would retain these spaces and the existing vehicle cross over. Some additional short term parking is available on-street although parking controls prevent all day parking during University term times.

10.17 A cycle parking requirement of one long term space per three residents would be appropriate given the age of the occupants. A secure cycle store for three bicycles is therefore recommended to be provided in the rear garden via a condition.

10.18 It is considered that, subject to conditions, the proposal would provide adequate parking for the future residents of the site and that the proposal is acceptable in term of parking provision in accordance with Saved Policy M14 of Welwyn Hatfield District Plan 2005, Supplementary Planning Guidance Parking

Standards (2004), Interim Policy on Car Parking standards 2014 and Paragraph 39 of the NPPF.

(iv) Refuse and recycling

10.19 The site was recently in use as a single residential unit and had capacity to site three domestic bins on site. The proposed use would require commercial bins to be used and collected separately from the Council's household waste service. HCCTPS has commented that space exists within the site for commercial waste. There is also space to the side of the house down which bins can be wheeled and ample space in the rear garden for the storage of bins. The proposal is acceptable in this regard.

Conditions

10.20 Planning Practice Guidance Policy governs the use of conditions in planning and the power to impose conditions when granting planning permission is very wide. If used properly, conditions can enhance the quality of development and enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. The objectives of planning, however, are best served when that power is exercised in such a way that conditions are clearly seen to be fair, reasonable and practicable. Conditions should only be imposed where they are both necessary and reasonable, as well as enforceable, precise and relevant both to planning and to the development to be permitted. In considering whether a particular condition is necessary, both officers and members should ask themselves whether planning permission would have to be refused if that condition were not to be imposed. If it would not, then the condition needs special and precise justification.

10.21 In this case the proposed change of use to C2 residential institution for supported living is only considered acceptable subject to conditions limiting the number of residents to eight, restriction of the use within Use Class C2 to supported independent living, provision of four on-site car parking spaces to be laid out prior to first use, and provision of secure cycle parking for three cycles in the rear garden.

11 Conclusion

11.1 The proposed use would, in principle, be in accordance with Policy H9 in providing supported accommodation for an identified group of people. The proposed use would be residential and the principle focus supported accommodation. The change of use of one property would not result in an overconcentration of such types of use in the area.

11.2 Given the scale of the proposal and predominance of single household dwellings in the vicinity, the main character of the area would not be unduly affected. The premises would employ wardens; there would be two on the site at all times, but these would be non-resident and their role would be to support the residential use.

11.3 The proposed change of use to C2 was proposed for a maximum of nine residents. It is anticipated that there would be a requirement for some sort of office space where administrative records could be securely stored and meetings held. It is recommended that space be allocated for this purpose at ground floor

in place of one of the bedrooms. This would reduce the number of potential occupants by one to eight.

- 11.4 The proposal would provide adequate parking for the future residents of the site and the proposal is acceptable in term of parking provision in accordance with current policy. However, the parking requirements for other uses, particularly for staff, within Use Class C2 may vary considerably and, given there is limited parking space on-street, due consideration needs to be given to the needs of each type of residential institution. Therefore, it is recommended that the use within Class C2 is restricted to supported living accommodation to control changes of use within Class C2 that may generate higher parking requirements.

12 Recommendation

- 12.1 It is recommended that planning permission be approved subject to the following conditions:

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Site Location Plan (1:1250) & 15BRE-01 & 15BRE-02 & 15BRE-03 & 15BRP-04 & 15BRE-06 (Photographs) received and dated 20.01.2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. Notwithstanding the approved drawings, the site shall not be occupied by more than eight residents at any one time.

REASON: To ensure the accommodation is adequate to meet the needs of the residents in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning Use Classes Order 1987 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any orders revoking or re-enacting these Orders) this permission shall only permit the use of the property as Supported Accommodation within Use Class C2 and for no other use or purpose.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by these Orders in the interest of protecting the residential amenity of adjoining occupiers in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005.

4. The front area of the site shall be set aside for car parking for four cars and shall be laid out surfaced and marked out, in accordance with a scheme which has been submitted to and agreed in writing by the Local Planning Authority before the first occupation of the building for the use hereby permitted and shall be retained permanently thereafter for the free parking of vehicles for residents/occupiers of and visitors to the development permitted and shall not be used for any other purpose.

REASON: To ensure that the spaces are provided prior to the first occupation of the building for the use hereby permitted in the interests of

highway safety and residential amenity in accordance with the National Planning Policy Framework and Policies D1, D2 and M14 of the Welwyn Hatfield District Plan 2005.

5. The change of use hereby permitted shall not commence until a scheme for the provision of secure cycle parking for three cycles (including powered two wheel vehicle parking where applicable) on site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme and shall be maintained in that condition thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle (powered two wheeler) accommodation within the application site, encouraging alternative modes of transport in accordance Policies M6 and M8 of the Welwyn Hatfield District Plan 2005.

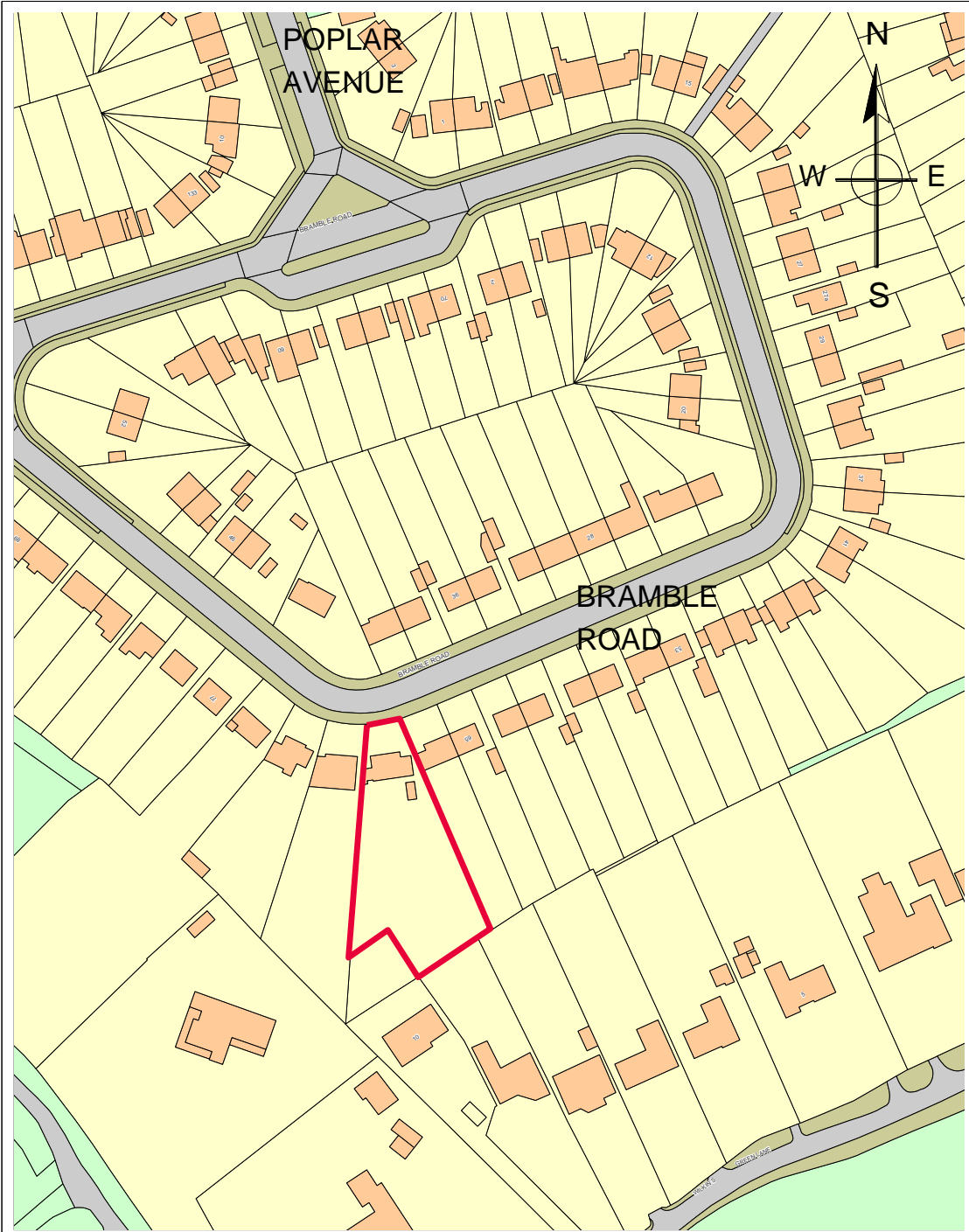
Summary of reasons for grant of permission


The decision has also been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

June Pagdin (Strategy and Development)

Date 25.8.2016

Expiry Date 26th April 2016



 Council Offices, The Campus, Welwyn Garden City, Herts. AL8 6AE	Title: 69 Bramble Road, Hatfield		Scale: DNS
	Project: DMD Meeting		Date: 2016
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