

<b>Agenda Item</b>	A13
<b>Application Number</b>	24/00088/FUL
<b>Proposal</b>	Change of use of dwellinghouse (C3) to housing co-operative (Sui Generis) installation of solar panels to the south facing roof slope, air source heat pump (2 no. units) to the west facing elevation and reconfiguration of parking
<b>Application site</b>	Abbeyfield House 78 Beech Road Halton Lancaster
<b>Applicant</b>	Miss Anna Clayton
<b>Agent</b>	Miss Jo Clark
<b>Case Officer</b>	Mr Andrew Clement
<b>Departure</b>	None
<b>Summary of Recommendation</b>	Approval

**(i) Procedural Matters**

This form of development would normally be dealt with via the scheme of delegation. However, the applicant is in receipt of grant support from Lancaster City Council, therefore the application must be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

1.1 The property that forms the subject of this application relates to a detached corner plot on the inside corner of Beech Road and Waltham Court, north of High Road in the village of Halton. The site is currently a large 10-bed detached dwellinghouse, with previous consents for 'housing association for 8 (or 9) residents (86/0950 and 87/00162/HST) and extension to Abbeyfield Society Norman Howarth House, which provided accommodation with support and meal provision for older people. The site appears to have been more recently used as a single dwellinghouse, which benefits from a detached outbuilding to the rear and off-street parking. The site is within the setting of the Halton Conservation Area and Grade II Listed Building 1 Houghton Court, which area circa 35 metres to the south. The site and majority of the district outside of towns and cities is within the designated Open Countryside. Roads around the site have a low risk of surface water flooding, and the wider area has limited risk of groundwater flooding.

**2.0 Proposal**

2.1 This application seeks planning permission for the conversion of the dwellinghouse to a 10-bed co-housing housing in multiple occupancy (HMO), offering co-housing rooms for affordable rent (set at Local Housing Allowance LHA rate) in perpetuity, as an alternative form of affordable housing provision within the district. No physical alterations are necessary to facilitate the proposed use within the existing built form and internal layout, however the application includes the addition of

sustainable energy measures in the form of solar panels to the south and southeast facing roof pitches, and air source heat pump (ASHP) to the internal west facing elevation.

### 3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
23/01029/PRENG2	Pre application advice for the change of use to 10 affordable housing spaces	Advice Provided
00/00046/FUL	Erection of a single storey extension to form guest sitting room	Permitted
87/01091/HST	Amendment to condition 1 on 87/162 for UPVC windows at Abbeyfield	Permitted
87/00162/HST	Res matters for Abbeyfield house for 9 persons	Permitted
86/0950	Outline application for residential development including housing association for 8 residents	Permitted

### 4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Halton-with-Aughton Parish Council	No observations received
County Highways	<b>No objection</b> , subject to planning conditions for construction hours and management plan
Environmental Health	No observations received
Fire Safety Officer	<b>No objection</b> , recommend an informative regarding fire safety vehicle access and water provision
Natural England	No observations received
Conservation Section	No observations received
Strategic Housing	No observations received
Planning Policy	No observations received

4.2 The **one objection** has been received from members of the public:

- Concern regarding air source heat pump potentially adjacent to adjoining boundary, and potential noise from this unit at close proximity
- Question affordability, and potentially subsequent uses
- Exacerbate parking issues on cul-de-sac
- Site unsuitable for livestock, bee hives or other potential growing activities.

### 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of development and affordable housing
- Design, scale and streetscene impact upon heritage assets
- Residential amenity and noise
- Accessibility, transport waste, and energy efficiency

- 5.2 **Principle of development and affordable housing** Development Management DPD Policies DM3 (The Delivery of Affordable Housing), DM13 (Residential Conversions, Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), National Planning Policy Framework Section 2. (Achieving sustainable development), Section 4. (Decision-making), Section 5. (Delivering a sufficient supply of homes), Section 11. (Making effective use of land)
- 5.2.1 This proposal seeks a change of use from a dwellinghouse to large co-housing HMO, which is Sui Generis, or 'of its own', beyond the defined use classes. The site has previously been occupied in alternative fashions to a standard dwellinghouse, including permission in the mid-80's and at the turn of the millennium for circa 8 residents. The proposal would be occupied as a shared house, occupied by unrelated individuals as their only or main residence, who share basic amenities such as a kitchen or bathroom. There is a general presumption against new housing in multiple occupancy (HMO) within the district. This presumption is due to the importance and prioritising the maintenance of an appropriate housing mix and safeguarding the character of residential area. Whilst the application site is beyond the Article 4 direction area to manage this provision through removing permitted development rights for such uses converted from dwellinghouses not in multiple occupancy, due to the scale of HMO (more than 6 unrelated occupants), planning permission is required.
- 5.2.2 There are currently no known HMO properties within 100 metres of the site, and given the relatively low density housing in the vicinity, the proposal would result in just 3.64% concentration of HMO, well beneath the 10% policy position against such proposals. As such, it is clear there would not be an over concentration of HMO locally through this proposal. In terms of exceptional circumstances to justify such circumstance where the proposal for HMO accommodation could be supported, there are additional criteria with DM DPD policy DM13 to minimise noise and disturbance, storage for refuse and cycles, not harm character of built form, avoid unacceptable parking and not create sub-standard living conditions. Such matters will be assessed in the following section of this report, and whilst it is unclear whether the property has been marketed for unfettered occupation for 6 months, it is considered that the affordable housing credentials of the proposal are a clear exception circumstance, addressing an acute housing need within the district.
- 5.2.3 The proposal has received Lancaster City Council Cabinet support to obtain the property for alternative affordable housing within the district. Whilst co-housing is outside of the usual affordable housing provision offered within the district, the property would operated by Lapwing Housing Co-operative, with a democratic organisation where no member individually owning or making profit at the expense of another. People would live collectively within the property, but the grant agreement approved by Cabinet controls the provision as affordable rent of rooms in perpetuity, capped at Local Housing Allowance affordable rent for a single room, with bills shared amongst a number of occupants to reduce costs. The proposal also proposes sustainable energy and heating measures proposed to reduce ongoing costs further. The grant agreement offers suitable legal control of the affordable provision, which is attached significant weight in addressing the acute affordable housing need, providing new and an alternative type of provision to existing stock, albeit on a modest scale of 10 bedrooms. This is considered to be a suitable exceptional circumstance against the presumption against such accommodation in the district, with a very low concentration of HMO locally through the proposal. Subject to achieve the additional criteria with DM DPD policy DM13, the principle of the proposal is considered to be acceptable and policy compliant.
- 5.3 **Design, scale and streetscene impact upon heritage assets** Development Management DPD Policies DM29 (Key Design Principles), DM39 (The Setting of Designated Heritage Assets), DM46 (Development and Landscape Impact), and DM57 (Health and Wellbeing), Strategic Policies and Land Allocations DPD Policy SP7 (Maintaining Lancaster District's Unique Heritage), National Planning Policy Framework Section 12. (Achieving well-designed places) and Section 16. (Conserving and enhancing the historic environment), and Listed Building and Conservation Areas Act 1990
- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM37 and DM38. DM38

sets out that development within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

5.3.2 The application site is not a listed building nor within a Conservation Area, but is within the setting of 1 Houghton Court, a converted late 18<sup>th</sup> century barn, within the Halton Conservation Area. The change of use proposed would be unnoticeable from a heritage setting perspective, and the proposed ASHP would be visually contained within the rear garden. The proposed solar panels would be visible from the heritage assets, with a narrow footpath between the application site and these heritage assets circa 35 metres to the south. The proposal includes solar panels so the south and southeast front elevations of the property, facing towards these heritage assets.

5.3.3 The intervening setting is car parking and more modern dwellinghouses outside the Conservation Area, and panels would project less than 20cm from the modern concrete tile roof. In this setting and context, the proposed solar panels would have no adverse impact upon the setting of heritage assets of the streetscene beyond the Conservation Area. Whilst these are not sited in a fashion to minimise impacts, as they're facing the streetscene, due to the nature of the site and character of the area, no undue harm would be caused by the installation of solar PV panels, nor any other aspect of this proposal in terms of design, streetscene and setting of heritage assets.

5.4 **Residential amenity and noise Development Management DPD Policies DM2 (Housing Standards), DM29 (Key Design Principles) and National Planning Policy Framework Section 8. Promoting healthy and safe communities**

5.4.1 The existing dwellinghouse offers 10 bedrooms. An existing ground floor bedroom with poor dimensions and outlook is sought to be used as a sitting room, with an upper floor store room renovated to a bedroom, but beyond this the proposed layout is largely the same as existing. The new upper floor bedroom is the only one without an en-suite bathroom and the only bedroom to fall beneath the 11.5sq.m minimum as a double bedroom under NDSS requirements. However, this smaller bedroom far exceeds the minimum for a single bedroom (7.5sq.m), benefits from a separate smaller room space with a separately access bathroom between. This bedroom and all other rooms within the house are considered to be habitable for the use proposed, with future occupants also benefitting from multiple communal living spaces, kitchen and separate utility areas. All habitable rooms have windows providing suitable outlook and natural light. Whilst the garden would be shared amongst all residents, at over 200sq.m this is ample for the proposed use. As such, it is considered that the proposal would offer good standards of residential amenity to all future occupants.

5.4.2 The property is detached, towards the end of a relatively quiet cul-de-sac location in the village of Halton. The proposed change of use would largely go unnoticed by most neighbours, although the neighbour to the west is in particularly close proximity, and changes to occupancy and development would be more tangible. The original plans included potential for ASHP infrastructure adjacent to this near neighbour's boundary. However, amended plans have moved this more centrally within the site, over 12 metres from curtilage boundaries, which is considered to be acceptable. One neighbour objection also raised concern regarding parking, which will be explored in the following section of this report, and potential use of the garden space. The garden could be used in such a manner whether approved or occupied as a single dwellinghouse. The amendments to the location of ASHP has addressed concern regarding noise from such sustainable heating units immediately adjacent to a neighbouring conservatory, and it is considered that through these amendments the proposal will have no adverse impact upon neighbouring residential amenity standards, whilst offering good standards of amenity to future occupants.

5.5 **Accessibility, transport, waste and energy efficiency Development Management DPD DM29 (Key Design Principles), DM30 (Sustainable Design), DM57 (Health and Well-being), DM61 (Walking and Cycling), DM62: (Vehicle Parking Provision), Appendix E (Car Parking Standards), Strategic Policies and Land Allocations DPD T2: Cycling and Walking Network, PAN08 (Cycling and**

- 5.5.1 The application site is within the village of Halton, with very frequent bus service to Lancaster between 6am and 9pm. The Lune Valley up to Halton and beyond to Caton has a direct and largely off-road cycleway to Lancaster, Morecambe and Heysham, which makes Halton a very sustainable settlement, with services and infrastructure that actively encourage sustainable transport options. This is to be encouraged further within the proposal, with a number of measures within the application to reduce private car trips. The site benefits from an existing bike shed containing Sheffield stands for up to 12 bicycles and e-bike charging points, which is a positive aspect of encouraging this transport option. Alterations to the forecourt area off Beech Road are proposed to provide 2x off-street car parking spaces to the site. Whilst measures within the travel plan to discourage car ownership amongst occupants cannot be controlled through the planning process, the site benefits from multiple sustainable transport options, and it is considered that occupants would not be solely dependent on car ownership. Given the cul-de-sac location, lack of passing traffic and general availability of on-street parking in the vicinity, subject to the proposed 2x parking space associated with the proposed use being provided, it is considered that the proposal would not generate a severe highway impact nor highway safety issue in this location, and the proposal is considered to be acceptable from this perspective.
- 5.5.2 County Highways have no objection to the proposal, but have requested a construction management plan and construction hours, primarily due to the proximity to the local school. However, given the proposal relates to minor developments to solar panels and ASHP, with any over works internal refurbishments beyond the control of planning, it is considered that such a planning condition cannot be justified as necessary and reasonable in this instance, as planning conditions should be kept to a minimum. There is no details of waste and recycling provision within this proposal, but given the site benefits from ample rear garden space, and the fact waste arrangements would be very similar to that of the existing large dwellinghouse, there is no concern with this regard.
- 5.5.3 Whilst the proposal seeks to use the existing built form with few developments, sustainable design has been incorporated into this proposal and application, which seeks permission for solar panels and ASHP. Whilst these are not essential to facilitate the proposed use, they're certainly beneficial to future occupants, particularly for rooms rented at Local Housing Allowance rates, and to help prevent fuel poverty for future occupants. These sustainable energy and heating aspects are supported by local planning policy, and will modestly help in addressing the climate change emergency, declared by Lancaster City Council in January 2019. These developments demonstrate commitment to reducing carbon emissions at the site, and recent national planning policy updates now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings. Whilst such public benefits are limited to this single site, significant weight is attached to these.

## **6.0 Conclusion and Planning Balance**

- 6.1 There is a presumption against new Houses in multiple occupation within the district, however the location and nature of the application is considered to meet exemptions and criteria within Policy DM13, and would not result in an overt concentration of such occupancy, with no undue impact on residential character, and would maintain an appropriate housing mix. Furthermore, the proposal is for a co-housing arrangement where rents would be controlled to affordable Local Housing Allowance rates in perpetuity through a legal agreement with an associated grant, which has been progressed as alternative affordable housing provision within the district. There is an acute affordable housing need locally, and the proposal would offer 10 bed spaces, as an alternative and additional provision to that currently available. This is considered suitable exception, the benefits of which are attributed significant weight, albeit limited to this single site. Similar significant weight is given to the sustainable credentials of the proposal, again the scale of the proposal is limited in terms of public benefit. However, this is considered to be a sympathetic proposal to the site and its surroundings, with no undue harm identified to outweigh benefits of sustainable energy and affordable provision at the site. As such this application is considered to weigh in favour of approval, subject to planning conditions.

## Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Development in accordance with the amended approved plans	Control
3	Parking provision	Implement prior to occupation

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, Officers have made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

### **Background Papers**

None