

DEVELOPMENT MANAGEMENT COMMITTEE - 2 FEBRUARY 2022

Application Number	3/21/2879/FUL
Proposal	Conversion of dwelling to create 2, 1 bedroomed temporary housing units (hostel) together with associated elevational alterations including provision of an external ramp. Erection of bin store and creation of parking with 2 crossovers.
Location	34 Queens Road, Ware, Hertfordshire, SG12 7DN
Applicant	East Hertfordshire District Council
Parish	Ware Town Council
Ward	Ware Trinity

Date of Registration of Application	19 November 2021
Target Determination Date	4 February 2022
Reason for Committee Report	Council's own application
Case Officer	Femi Nwanze

RECOMMENDATION

That planning permission is **GRANTED** subject to the conditions detailed at the end of this report.

1.0 Executive Summary

1.1 This application is referred to the Development Management Committee for determination as East Herts District Council has an interest in the proposal as the applicant. The proposed accommodation will provide homeless accommodation on behalf of the District Council.

1.2 Summary of Proposal and Main Issues

1.3 This application seeks planning permission for the conversion of the dwelling to create 2, 1 bedroomed temporary housing units (hostel) together with associated elevational alterations including

provision of an external ramp. Erection of bin store and creation of parking with 2 crossovers.

- 1.4 The proposed conversion works would provide two self-contained 1 bedroom apartments within this dwelling. Each unit would have 1 double bedroom, separate living room and kitchen and bathroom for the exclusive use of its occupants. The internal layout and room sizes of each residential unit will not be dissimilar to that found in self-contained flats that are sold or rented. However the way in which the units will be used means this is regarded as a 'hostel use'.
- 1.5 At the side of the site an access ramp will be provided to enable access to the rear of the site.
- 1.6 At the rear of the site the rear outbuilding will be converted to provide a shared facility in the form of a laundry /utility room.
- 1.7 The front garden will be altered to provide 2 off street car parking spaces with each having its separate vehicle crossing. A small bin enclosure is proposed to be erected in the front garden at the side of the property.
- 1.8 The main issue for consideration is whether the proposed development would safeguard the amenity of local residents.

2.0 **Site Description**

- 2.1 The application site is situated within the built up area of Ware. The subject property is situated in Queens Road which forms part of a wider post war housing development. Queens Road is a circular road wherein the subject property, a two storey semi-detached dwelling is positioned in a prominent position on the southern section.

3.0 Planning History

Application number	Proposal	Decision	Date
3/20/0873/FUL	Demolition of outbuilding. Erection of single storey rear extension and dormer window to rear. Conversion of dwelling to create 1, two bedroomed and 1, one bedroom dwelling together with parking, vehicle entrance and crossovers.	Granted with conditions	20 th July 2020
3/20/0400/CLPO	Demolition of ground floor rear w.c/store. Erection of ground floor rear extension and rear dormer to create additional living space.	Certificate of Lawfulness Proposed Granted	24 th April 2020
3/19/0933/FUL	Demolition of single storey w.c./store and erection of attached two storey building consisting of 2no one bedroom apartments with 2no parking spaces, vehicle entrances and crossovers.	Refused (Appeal dismissed)	25 th July 2019 21 st November 2019
3/18/2579/FUL	Demolition of existing single storey	Refused	16 th January

	w.c./store and erection of attached two storey building consisting of 2no one bedroom apartments with new off-street parking, vehicle entrances and crossovers.	(Appeal dismissed)	2019 26th September 2019
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4.0 **Main Policy Issues**

Key Issue	District Plan Policies	NPPF
Principle of development	WARE1 TRA1	Section 5, 11
Design and layout/ Residential Amenity	DES4, DES5, HOU1, HOU2, HOU7 ,HOU11	Section 12
Impact on local highway network and parking provision	TRA2, TRA3	Section 9

4.1 Relevant policies are contained in the East Herts District Plan (DP) 2018 and the National Planning Policy Framework (NPPF) 2021.

5.0 **Summary of Consultee Responses**

5.1 HCC Highways has commented that this application for conversion to two apartments at a semi-detached property is acceptable in principle from a highways context. The scheme proposes new vehicle accesses at a point where appropriate visibility splays can be provided. A suitable level of parking is included within the proposal and traffic generation will not be significant in this residential road. Works are required on the public highway and conditions and Informatives are proposed to cover this point.

- 5.2 [EHDC Environmental Services \(Waste\)](#) has commented that a bin store has been provided but no access details have been provided, therefore residents will need to present their bins kerbside.
- 5.3 [Thames Water](#) has commented that with regard to waste water network and sewage treatment works infrastructure capacity, they have no objection to the planning application, based on the information provided.

(Note: EHDC, East Herts District Council. HCC, Hertfordshire County Council)

6.0 **Parish Council Representations**

- 6.1 [Ware Town Council](#) No representations have been received.

7.0 **Summary of Other Representations**

- 7.1 The application has been advertised by neighbour consultation letters to 12 properties. 6 responses have been received from 4 neighbouring properties objecting to the proposals on the following grounds:

- No indication who will live there - concern regarding nature of proposed occupants;
- Extra disruption from continual tenancy changes;
- Short term temporary accommodation will be unsettling for local community and occupants will not respect that ;
- Hostel will lead to trouble;
- Concern regarding who will take responsibility for maintenance of garden space;
- There are no flats/apartments or hostels in Queens Road – proposal will result in the loss of a family house;
- Parking has been made worse by local authority reducing the number of parking spaces outside 63 – 71 Queens Road to alleviate buses bumping up the kerb – which has not worked.

- Creation of 2 parking spaces with 2 crossovers will result in the loss of at least 5 on street spaces;
- Although Highways consider visibility is good - view of traffic from the right will be obscured by adjacent house at 36 Queens Road.

7.2 1 letter of support has been received citing the following:

- What a fantastic idea. I have seen this property empty for years now. Completely overgrown and an absolute mess, perfect site for something like this.
- Good to see the council stepping up and doing something positive in the area to help people in these challenging times.

8.0 **Consideration of Issues**

Principle of Development

- 8.1 The subject dwelling is located in the built up area of Ware where in principle there is no objection to development; subject to compliance with relevant policies in the East Herts District Plan 2018 as outlined above.
- 8.2 By way of background, section 188 of the Housing Act 1996 places an interim duty on a Local Housing Authority to accommodate, on a short-term basis, households who have no other accommodation which they can reasonably be expected to occupy. The Homelessness Reduction Act 2018 has also created a statutory duty on all councils to prevent homelessness and as such there is a need for suitable accommodation to meet this growing demand.
- 8.3 Paragraph 60 of the National Planning Policy Framework (NPPF) advises that, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are

addressed and that land with permission is developed without unnecessary delay.

- 8.4 As with all applications, it is necessary to have due regard to the public sector equality duty, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
- 8.5 The proposed conversion of the dwellinghouse to two, one bedroom self-contained apartments and its subsequent use as a hostel is considered to be acceptable as it would both provide additional homes and meet the needs of groups with specific housing needs in the District such as young, single homeless people for which there is particular need, as required by paragraph 60 of the National Planning Policy Framework 2021.

Design and Layout

- 8.6 Policy DES4 requires that all development proposals are of a high standard of design and layout to reflect local distinctiveness and Policy HOU11 requires that extensions to dwellings and residential outbuildings are of an appropriate size, scale, mass, form, siting, design and materials of construction having regard to the character and appearance of the existing dwelling and surrounding area.
- 8.7 The property already benefits from planning permission (ref 3/20/0873/FUL for two flats (1x2 bed and 1 x1 bed and the provision of 3 off street car parking spaces) however this permission involves the erection of a rear extension and a rear dormer at roof level. This current proposal seeks to convert the property into two 1 bedroom flats without extending the building. The proposed off street car parking provision will be 2 car parking spaces.
- 8.8 The proposed internal layout provides each unit with its independent ground floor access; ensuring that each unit is fully

self-contained. The ground floor unit will be accessed from the rear and the first floor unit accessed from the existing ground floor front entrance of the dwelling.

- 8.9 The room sizes and internal layout of both units is considered to be acceptable and meets the standards outlined in the Department for Communities and Local Government Technical housing standards – nationally described space standard 2015. In this regard the proposal complies with Policy HOU2 of the District Plan.
- 8.10 As required by Policy HOU7, the proposed development will provide suitable access arrangements to the site with the provision of an access ramp which will be erected to the side of the property which will improve accessibility of the scheme.
- 8.11 Minor elevational alterations (door converted to a window and a window converted to a door) will be required at the rear (ground floor) of the property in order to facilitate this proposed conversion. In addition the existing rear windows of the existing outbuilding will be bricked up to enable it to be converted to a communal laundry room. In the front garden, adjacent to the proposed ramp, a small enclosure is proposed to be erected; to ensure that the development provides adequate provision for bin storage. No objection is raised to these alterations or proposed works which will not be harmful to the appearance of the building and will use materials to match the existing property. It is noted that Waste Services has advised that bins will need to be presented at the kerbside for collection; it is considered that this can be readily achieved from these front garden locations. In this regard the proposal complies with policies HOU11 and DES4 of the East Herts District Plan 2018.

Residential Amenity

- 8.12 Once the building is converted, it is intended that it will be utilised by the Local Housing Authority to provide temporary

accommodation to households who have no other accommodation which they can reasonably be expected to occupy.

- 8.13 Although not material, the applicant has advised that households will occupy the flats in the following circumstances:
- They have applied to East Herts Council for assistance under homelessness legislation and are awaiting the outcome of their application.
 - They have been accepted for assistance under homelessness legislation and are awaiting the offer of suitable accommodation which they will occupy on a long-term basis.
- 8.14 Each unit provides 1 double bedroom and meets the space standards for such accommodation. As such, they meet the required standard for self-contained flats and no restrictions are necessary on occupation. Whilst the applicant has indicated that this is accommodation for homeless people there is no requirement to restrict occupancy length as the units are considered to be of an acceptable standard. Overcrowding of residential accommodation is dealt with by other legislation.
- 8.15 As with all other residential developments, the day to day management of the premises is not relevant to this application. There is an expectation that all owners and occupiers will be responsible neighbours and not act in an anti-social manner. Should there be unacceptable behaviour, there are mechanisms outside the planning system to respond.
- 8.16 There is no evidence the development would be likely to affect crime and disorder, substance misuse or re-offending. Irrespective of this, applicant has confirmed that they are planning to install CCTV at the property. This is standard practice for all council-owned temporary accommodation. Maintenance of the property and its curtilage (including the garden) will fall to the contracted grounds maintenance team.

- 8.17 The limited nature of this application and the proposed development works involved, by reason of its siting and proximity to nearby residential properties is unlikely to have any significant impact on the general amenity of the occupants of nearby properties, by reason noise, loss of light, overshadowing, overlooking or overbearing impact. The proposal therefore complies with Policy DES4 of the East Herts District Plan 2018.

Impact on the local highway network and parking provision

- 8.18 The existing dwelling currently has no off road parking provision or vehicle access points.
- 8.19 Two off street parking spaces, one space for each one bedroom flat, are proposed for the development. This is a net reduction of 1 space compared to what has previously been consented at the site in the grant of planning permission ref: 3/20 0873/FUL for 2 self-contained flats (in the form of one 2- bedroom flat and one 1 – bedroom flat).
- 8.20 The number of car parking spaces required as outlined in the Updated Vehicle Parking Standards Supplementary Planning Document (SPD) is based on the number of bedrooms in the property.
- 8.21 With this current scheme proposing two 1- bedroom units there is a reduction in off street parking demand at the site; a factor that would be beneficial to the locality as it would have less visual impact on the street scene with reduced levels of hardstanding at the front of the property. The site will also provide cycle storage for the two units at the rear /side of the premise to enable the provision of sustainable transport options in accordance with Policy TRA1 of the District Plan.
- 8.22 It is noted that objections have been raised to the provision of 2 vehicular access points at this site; citing the consequent effect on off street parking provision. It is accepted that it may be unlikely for someone who is homeless to have a car, so it would be justified to

depart from the residential parking standards. However the subject property is located on a bend in the inner side of this loop road and cars are, in the main, parked on the opposite side of the road. It is therefore considered that two small interventions to provide dropped kerb access to enable provision of two off street car parking spaces would not adversely affect the current parking situation on Queens Road. In addition, the proposed access is identical to what was approved under the extant permission 3/20/0873/FUL.

- 8.23 Subject to conditions, the Highway Authority is content with the positioning of the proposed access points and parking spaces in relation to their proximity to the highway and their possible effects on highway safety. In this regard they are satisfied that this aspect of the proposal would not be harmful to highway safety. Therefore, the scheme is considered to comply with Policies TRA2 and TRA3 of East Herts District Plan (2018). Furthermore, it is considered that adequate car parking provision in accordance with Policy TRA3 of the East Herts District Plan 2018 and the Updated Vehicle Parking Standards SPD can be made at the site.

Response to third party comments

- 8.24 Responses to the majority of the comments received have been addressed within the body of the report. With regard to the remaining points the following applies:
- No indication who will live there - concern regarding nature of proposed occupants – the accommodation will be occupied by people requiring temporary accommodation for a wide variety of reasons. The individual circumstances of potential future residents are not material to the assessment of this application. Should residents have concerns about the behaviour of residents there are mechanisms outside the planning system to respond.
 - Extra disruption from continual tenancy changes -

This would not result in any unacceptable harm. The flats are intended to provide short-term accommodation for households on a relatively settled basis because they are self-contained. The area to the front of 34 Queens Road will be paved to provide ample parking for maintenance vehicles. This should minimise the possibility of any on-road parking. Notwithstanding, it is imperative to compare this proposed use to a private rented flat where again there could be tenancy changes; over which the local community has no influence.

- Hostel will lead to trouble - The risk of crime and disorder and the perception of it arising from the proposed use is a material planning consideration. The local housing authority has indicated that they assess the needs of the proposed users and use alternative accommodation for persons that require support. As mentioned above the temporary accommodation proposed is for single persons or families that have become homeless in the local area. Given the low level nature of this proposal and the operational and management arrangements utilised by the local housing authority, including the standard use of CCTV, it is not considered that the occupation of two self-contained flats in the manner proposed would result in harm to the amenity of surrounding residential occupiers.
- There are no flats/apartments or hostels in Queens Road – proposal will result in the loss of a family house - It is acknowledged that there are no hostels in Queens Road. However this is not a reason to prevent one being created, particularly when it has been demonstrated that the standard of accommodation is more akin to two self-contained flats and it has been demonstrated that its creation and operation will not adversely affect the amenity of surrounding residents. There are no other records of planning permission being granted for flats/apartments in Queens Road aside from this property which has planning permission for 2 flats already. Whilst it is accepted that this proposal will result in the loss of a

family house, there is no planning policy objection to that loss (which has already been approved through the extant permission); given that there is a need to also ensure that there is a variety of housing types made available as outlined in paragraph 60 of the NPPF.

9.0 Planning Balance and Conclusion

9.1 It is considered that the size, scale, form, and design of the proposed development would be appropriate to the existing dwelling and the surrounding residential area. There would be no material adverse impacts on the occupiers of neighbouring properties arising from the proposed operation of the dwellings as a hostel and there would be an adequate level of parking provision which can be provided without detriment to the local highway network, pedestrian and / or vehicular safety. The proposal therefore accords with Policies WARE1, HOU1, HOU2, HOU11, DES4, DES5, TRA2 and TRA3 of the East Herts District Plan 2018 and the National Planning Policy Framework 2021. It is therefore recommended that planning permission be granted.

RECOMMENDATION

That planning permission is **GRANTED** subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

3. The external materials of construction and finishes for the building works hereby permitted shall match those used for the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of good design in accordance with Policy DES4 of the East Herts District Plan 2018.

4. Before first occupation of the approved development, the access arrangement, including visibility splays, onto Queens Road shall be completed in accordance with the approved in principle plan 21/4167/101 Rev B and constructed to the specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: To ensure that the access and proposed roadworks within the highway are constructed to an adequate standard; in accordance with Policy TRA2 of the East Herts District Plan 2018.

5. Before the new dwelling units are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking and turning of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises; in accordance with Policy TRA2 of the East Herts District Plan 2018.

6. Any gas - fired boiler (s) installed at the dwellings shall meet a minimum standard of <40 mg NO_x/kWh.

Reason: In order to ensure an adequate level of air quality for occupants of the new dwelling in accordance with Policy EQ4 of the East Herts District Plan 2018.

7. The development shall be carried out so that the requirements of paragraph M4(2)1 of schedule 1 to the Building Regulations 2010 (category 2 - accessible and adaptable dwellings) are satisfied.

Reason: In order to ensure the optional requirement of the Building Regulations applies so that new homes are readily accessible and adaptable to meet the changing needs of occupants in accordance with policy HOU7 of the East Herts District Plan 2018 and guidance in the NPPF.

Informatives

1. East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.
2. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
3. Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street

name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 123 4047.

4. The development will involve the numbering of properties and/or naming of new streets. The applicant MUST consult the Director of Finance and Support Services. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, Wallfields, Hertford, SG13 8EQ. Tel: 01279 655261.

Plans

Plan Ref	Version	Received
21/4167/101	rev B	26th November 2021