

4.2 18/03829/FUL

Date expired 15 February 2019

Proposal: Change of use of part ground floor and all of first floor from ancillary use to ancillary and bed and breakfast accommodation.

Location: 17 Eardley Road, Sevenoaks, Kent TN13 1XX

Ward(s): Sevenoaks Town & St Johns

Item for decision

The application has been referred to the Development Control Committee by Councillor Fleming because he feels that the proposed use of the Coach House for guest accommodation will have a detrimental impact on neighbouring amenity. In addition the previous planning permission SE/98/2433 has two conditions which state that the Coach House cannot be used for this purpose.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans and details: CH/EFP/092018/002/1, CH/EFE/092018/003/1, CH/EFE/092018/004/1, CH/ESP/092018/005/1, CH/EGP/092018/001/1 - Date Stamped 21.12.18.

For the avoidance of doubt and in the interests of proper planning.

2) Within one month of this permission, one car parking space on the existing driveway of 17 Eardley Road shall be made available for the parking of paying guests staying in The Coach House at all times. Paying guests are required to use this space.

To prevent further pressures to on street parking in the surrounding area.

3) The Coach House shall be used solely as additional living accommodation in connection with the existing dwelling and for paid guest accommodation only.

In the interests of the residential amenities of the area.

4) The first floor window on the front elevation and the first floor window on the side (west) elevation shall be permanently obscure glazed.

In the interests of the residential amenities of the area.

5) No windows or rooflights shall be inserted in The Coach House at first-floor level or in its roof, unless details have been submitted to and approved in writing by the local planning authority.

In the interests of the residential amenities of the area.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of proposal

- 1 To regularise the change of use of part of the ground floor and all of the first floor of The Coach House from ancillary use to ancillary and bed and breakfast accommodation.

Description of site

- 2 17 Eardley Road is a detached property built in the 1990's with a historic Coach House in the rear garden.
- 3 The Coach House is currently advertised through Airbnb and is used by paying guests visiting Sevenoaks and the surrounding area for overnight accommodation. It contains a double bedroom and bathroom on the ground floor and a kitchenette and living area upstairs.
- 4 The site sits within the Granville and Eardley Road Conservation Area and is within the built confines of Sevenoaks.

Relevant planning history

- 5 98/02433/HIST - Change of use of part of the ground floor and entire 1st floor of The Coach House to ancillary residential use. Granted.

Constraints

- 6 Built confines of Sevenoaks
- 7 Granville Road and Eardley Road Conservation Area

Policies

- 8 National Planning Policy Framework

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development and that the development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- Footnote 6 (see reference above) relates to policies including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

9 Core Strategy (CS):

- LO1 Distribution of Development
- LO2 Development in Sevenoaks Urban Area
- SP1 Design of New Development and Conservation
- SP8 Economic Development and Land for Business

10 Allocations and Development Management (ADMP)

- SC1 Presumption in Favour of Sustainable Development
- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Heritage Assets
- LT1 Tourist Accommodation and Visitor Attractions
- T2 Vehicle Parking

11 Other

- Granville Road and Eardley Road Conservation Area Management Plan.
- Allocations and Development Management Plan Appendices. Appendix 2: Guidance for Residential Parking.

Consultees

Sevenoaks Town Council

12 Sevenoaks Town Council recommended approval.

Sevenoaks District Council Parking Team

13 '17 Eardley Road is in the Zone A resident parking scheme. Under the scheme arrangements residents and their guests can park using on street resident permits and resident visitor vouchers. Other "visitors" can park for up to 2 hours free of charge.

14 Any increase in the number of occupiers in a property in Eardley Road, for example its use in part as "bed and breakfast" accommodation is likely to have a consequential detrimental impact on the parking situation in Eardley Road, where there is already high demand for parking in this residential road located close to Sevenoaks town and Sevenoaks station'.

Sevenoaks District Council Environmental Health Team

15 We have no objections or adverse comments in respect of this application.

Representations

16 6 objections received in respect of:

- Parking.
- Infringes the 1999 planning permission.
- The Coach House is entirely self-contained with no reliance on the main house.
- Concerns that consent for a commercial use could be used in the future to argue for wider commercial/business use on the site.
- Noise.
- The new hotel will have substantially met the need for B&B accommodation.
- Multiple parking in front of the house could fatally delay emergency services.
- Question if the Coach House is compliant with building regulations.
- Lack of privacy/overlooking.
- Sevenoaks Town Council never takes into account impact on neighbours.
- Not notified about the development.
- The owners have not accurately represented the situation.
- A noticeable increase in traffic.
- More strangers coming and going.
- Visitors do not arrive by train and bicycle.
- The occupancy rate is nearer to 60%.
- Increase in car emissions.
- How do neighbours know if strangers in the garden of No.17 are potential burglars or B&B guests.
- Intensive use of an ancillary building built as stables or for storage of carts.
- Air pollution.
- The Coach House is surplus to the requirements of the family and is used solely for B&B purposes.
- The figures outlined in the Planning Statement relating to occupancy rates and travel to and from the B&B are unsupported.
- If used by family such as an older generation or additional children this would not add to the car ownership at the property.

17 1 support received in respect of:

- A benefit to the surrounding area.
- All residents are in their right to use their property to provide B&B accommodation, so see no difference in allowing the residents at No.17 to use their Coach House.

- Parking issues are caused by local businesses, not by residents and busy times are during the working day and not at weekends or evenings when the B&B is most likely to be used.
- No.17 has ample space for 4 or 5 off street parking without using the parking bays on the street.

18 1 comment received in respect to:

- A guest who went on to buy in Eardley stated they were offered free off street parking during their stay.

Chief Planning Officer's appraisal

19 The main planning consideration is:

- Principal of Development
- Impact on the character of the area
- Impact on residential amenity
- Parking

Background

20 This planning application seeks to regularise the functional use of the Coach House. Planning permission under SE/98/2433 was granted in January 1999 for the 'Change of Use of part of the ground floor and entire 1st floor of The Coach House to ancillary residential use'. Two conditions on the permission which are relevant in this particular application are;

3. The building shall be used solely as additional living accommodation in connection with the existing dwelling unit and shall not be used as a separate unit of accommodation

Reason: In the interests of the residential amenities of the area.

4. The use of the building shall be incidental to the enjoyment of the dwelling and shall not be used for any commercial or other purposes.

Reason: In the interests of the residential amenities of the area.

21 The conditions attached to the previous planning permission were not imposed to stop future development of the Coach House. The conditions mean that a planning application is required should the occupant/owner wish to use the building for a separate unit of accommodation or for commercial purposes. As this has now happened, a planning application has been submitted to be fully assessed.

Principle of Development

22 The application site falls within the Sevenoaks Urban Area. Policy LO2 seeks to protect the setting of the urban area and the distinctive character of the local environment. The Coach House is an existing building within a residential area, close to Sevenoaks Town Centre. The principle of the use of The Coach House for B&B accommodation is accepted.

- 23 Policy LT1 of the Allocations and Development Management Plan states that the benefits to the local economy will be recognised in considering proposals for tourist accommodation or facilities.
- 24 The existing Coach House is being used as guest accommodation which provides a double bedroom and bathroom at ground floor and a kitchenette and living area at first floor level.
- 25 Whilst Sevenoaks has a Premier Inn Hotel, which has helped to meet a need in the District for tourist accommodation, the guest accommodation provided by the applicants (albeit small scale in comparison to the hotel) would add a different type of guest accommodation not seen within the town, and would only further benefit the local economy.

Impact on the Character of the area

- 26 Policy SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 27 The building exists and no external alterations are proposed, as such there will be no change to the visual amenity of the local area.
- 28 The planning statement states that the occupancy rate for the accommodation over the past 12 months is 31%. The applicant has confirmed that this figure is derived from analysis provided by Airbnb themselves. Whilst this has not been verified it is not a determining factor as to the acceptability of this proposal.
- 29 The use of The Coach House as accommodation for paying guests would not change the residential nature of the site; ultimately the main use and functional use would be that of a family dwelling.
- 30 The use of the Coach House for guest accommodation would conserve the character and appearance of the Granville and Eardley Road Conservation Area.

Impact on amenity

- 31 Policy EN2 of the ADMP requires proposals to provide adequate residential amenities for existing and future occupiers of the development.

Outlook and Loss of Light

- 32 The building exists on the site and no additions or alterations are proposed to the building. Outlook is the visual amenity enjoyed by a dwelling. Due to the distance of the building from other residential properties, the use of the Coach House for guest accommodation would not result in any loss of light to windows of habitable rooms in neighbouring properties or be visually intrusive to neighbouring outlook.

Loss of privacy

- 33 It was established by the permission granted in January 1999 that the Coach House can be used for residential accommodation and can therefore be occupied.
- 34 Although the use of the Coach House for guest accommodation would mean non-family members could use the accommodation, there would be no loss to privacy. Currently any member of the family could permanently occupy the building and would enter and exit the building in the very same way (through the garden) as a paying guest.
- 35 Further to this, The Coach House contains 4 windows at first floor level. The window on the front elevation (facing towards the rear of 17 Eardley Road and neighbouring properties) is entirely obscure glazed with no outlook. The two roof lights on the front elevation are high level and provide no outlook. The side (west) elevation contains a window which is also entirely obscure glazed.

Noise

- 36 The site is located within an urban environment where vehicle movements are expected. The use of the Coach House would still provide residential accommodation and noise levels would be expected to remain the same as any larger residential family unit. In addition, Sevenoaks District Council Environmental Health Team were consulted on this application and concluded that they had no objection or comments to make on this application.
- 37 In light of the above it is considered that the use of The Coach House as guest accommodation would have no greater detrimental impact to neighbouring amenity, complying with the NPPF and Policy EN2.

Parking

- 38 Policy EN1 states that all new development should provide satisfactory means of access for vehicles and pedestrians and provide adequate parking. Policy T2 of the ADMP states that a 4+ bed house (17 Eardley Road) in this location requires a maximum of 1.5 spaces. The Coach House would require a maximum of 1 space.
- 39 Unlike the majority of houses to the south of Eardley Road, the application site has the benefit of a driveway and can accommodate 4 cars. Consequently, the existing driveway provides suitable parking for the use of both the main dwelling and the Coach House and complies with Policy T2 of the ADMP.
- 40 Sevenoaks District Councils Parking Manager was consulted on this application. He has stated that any increase in the number of occupiers in a property on Eardley Road, for example its use in part as 'bed and breakfast' accommodation is likely to have a consequential detrimental impact on the parking situation in Eardley Road.

41 Given that the existing driveway can accommodate 4 cars, which means it exceeds the parking standards, the proposal will not result in any on-street parking or hazardous parking conditions.

42 A condition will be imposed to ensure that 1 parking space is allocated for guests to the Coach House to ensure a dedicated parking space will be provided for the bed and breakfast when needed.

Other

43 Neighbour comments not addressed within the report

- Concerns that consent for a commercial use could be used in the future to argue for wider commercial/business use on

This application must be assessed on its on merit and not any potential future use.

- Not notified about the development.

All neighbours who adjoin the site were notified. In addition a site notice was displayed on the front boundary.

- The owners have not accurately represented the situation.

Figures of occupancy rates and transport to and from the accommodation were provided in the planning statement. The Officer requested information to demonstrate how these figures were calculated. This information was supplied by the applicant. Although these figures have not been verified, it is not a determining factor as the acceptability of this proposal.

- Increase in car emissions/air pollution

17 Eardley Road is located close to Sevenoaks Train Station, with guests able to arrive by alternative modes of transport to the car. That said, if guests did choose to arrive by car this would not singularly generate emissions great enough to have a significant detrimental impact on local residents, given it would be a single vehicle arriving/leaving.

- If used by family such as an older generation or additional children this would not add to the car ownership at the property.

There would be no restriction in place preventing a family member or a teenage child, for example from owning a car if they lived in the Coach House.

44 Neighbour comments that are not material planning considerations

The following comments are not material planning considerations and were not taken into account when determining this planning application;

- Question if the Coach House is complaint with building regulations.
- More strangers coming and going.
- How do neighbours know if strangers in the garden of No.17 are potential burglars or B&B guests.
- Multiple parking in front of the house could fatally delay emergency services.

CIL

45 This proposal is not CIL liable.

Conclusion

46 Upon considering this application as set out above, use of part of the ground floor and all of the first floor of The Coach House at 17 Eardley Road for guest accommodation, would not have a detrimental impact on the character of the area and would not have a significant impact on neighbouring amenity

Recommendation

47 It is therefore recommended that this application is granted.

Background papers

Site and Block plans.

Contact Officer: Rebecca Fellows Extension: 7390

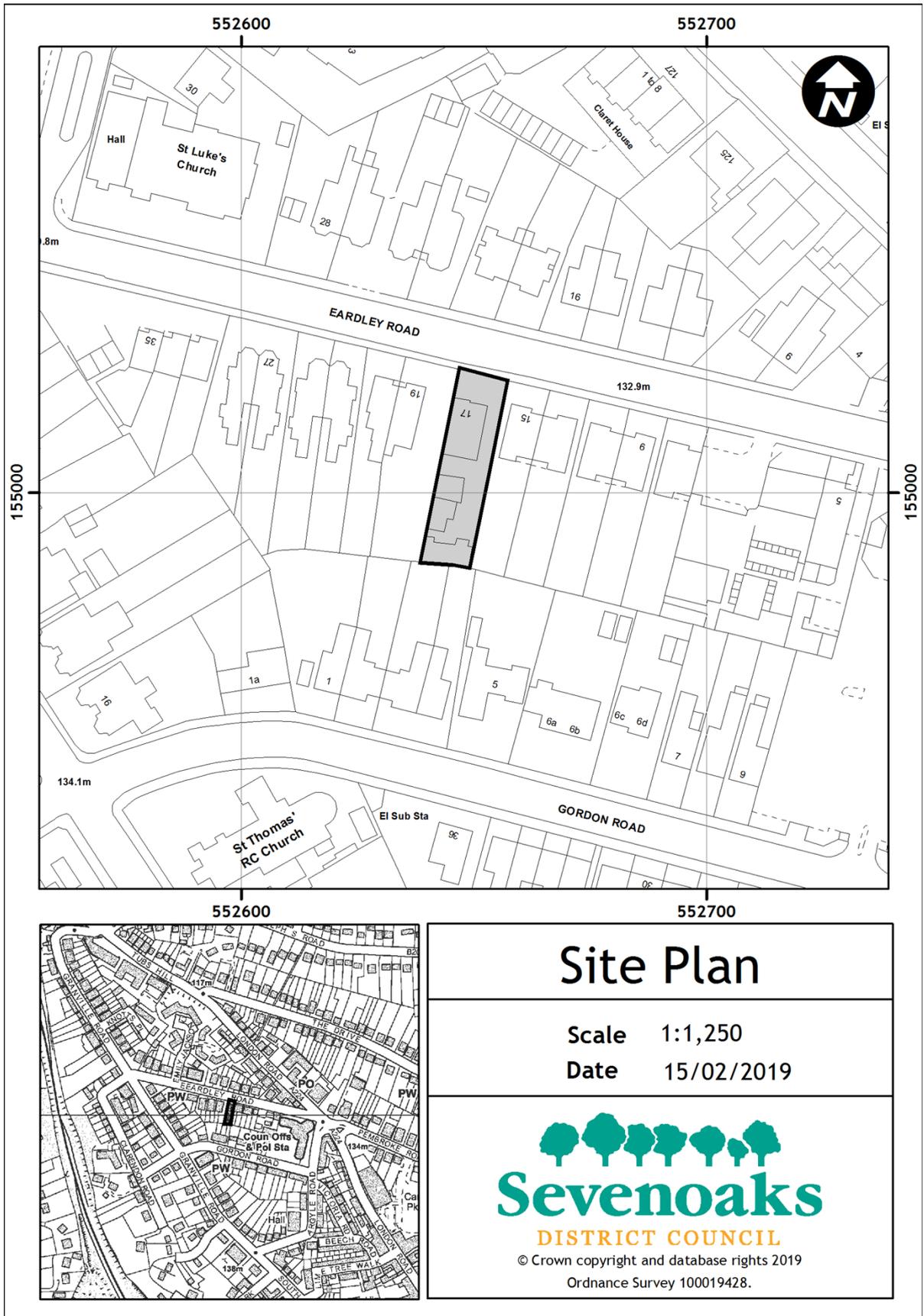
Richard Morris
Chief Planning Officer

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PJQ649BK0L000>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJQ649BK0L000>



Site Plan

Scale 1:1,250

Date 15/02/2019



DISTRICT COUNCIL

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Ordnance Survey 100019428.