

**Report to:** PLANNING COMMITTEE  
**Date of Meeting:** 14 December 2017  
**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** Flat 1, 1 Wykeham Road, Hastings, TN34 1UA

**Proposal:** Conversion of existing outbuilding to summerhouse/annexe

**Application No:** HS/FA/17/00751

**Recommendation:** Grant permission

**Ward:** BRAYBROOKE

**Conservation Area:** No

**Listed Building:** No

**Applicant:** Miss Bland per SJB Architectural Design Rosemeath Little Common Road Little Common, Bexhill on sea. TN39 4SB

**Interest:** Leaseholder

**Existing Use:** Garden building.

### **Public Consultation**

**Site Notice:** Yes

**Press Advertisement:** No

**Letters of Objection:** 0

**Petitions of Objection Received:** 0

**Letters of Support:** 0

**Petitions of Support Received:** 0

**Neutral comments received** 0

**Application Status:** Not delegated -  
The applicant is related to a Councillor

## **1. Site and Surrounding Area**

The application site comprises a single storey outbuilding located in the rear garden of Flat 1, 1 Wykeham Road, located on the west side of Wykeham Road, a large four-storey property which is currently in use as flats. The outbuilding which is the subject of this application is located adjacent the rear / western boundary of the site. The internal floor area of the building measures 25sqm. The outbuilding has rendered walls with a flat roof above.

The rear boundary of the application site backs onto Linton Gardens which is a designated historic park and garden. There is a pedestrian access along the southern side of the application site from Wykeham Road to Linton Gardens.

### Constraints

SSSI Impact Risk Zone

## **2. Proposed development**

The application proposes the conversion of the existing garden outbuilding into an annex / summerhouse to be used in conjunction with the host dwelling / flat. The submitted floor plans indicate the internal space would be utilised as a bedroom / living space with a small en-suite shower.

No external alterations or extensions are proposed to the building.

The application is supported by the following documents:

- Site Waste Management Plan

### **Relevant Planning History**

55/00400            Change of use and conversion of private hotel into 7 self-contained flats  
- Approved 26.07.1955

### **National and Local Policies**

Hastings Local Plan – Development Management Plan (2015) (DM Plan)

LP1 - Considering planning applications

DM1 - Design principles

DM3 - General amenity

DM4 - General access

DM5 - Ground conditions

HN1 - Development affecting the significance and setting of designated heritage assets (including conservation areas) (Historic Parks and Gardens)

Hastings Local Plan – Planning Strategy (2014)

SC1 - Overall strategy for managing change in a sustainable way

FA2 - Strategic Policy for Central Area

EN1 – Built and Historic Environment

Other Policies/Guidance:

Sussex Air Quality and Emissions Mitigation Guidance 2013

National Planning Policy Framework (NPPF)

The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 14 sets out a general presumption in favour of sustainable development and states that

development proposals which accord with the development plan should be approved without delay.

Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

#### National Planning Policy Guidance (NPPG)

Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term.

### **3. Consultations comments**

None

It is acknowledged that the site falls within the designation of 'flooding surface water 1 in 1000'. However, the proposed conversion does not include any extensions to the existing building or external alterations. In light of this it is not considered necessary to require further investigation in to the potential for surface water flooding on site.

### **4. Representations**

No responses were received.

### **5. Determining Issues**

#### a) Principle:

The site is in a sustainable location and the application is therefore in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

#### b) Proposed ancillary residential use:

The proposed conversion relates to an annexe to the host property to be used as ancillary living accommodation. The converted living accommodation would not function as primary living space nor would the conversion constitute an independent self-contained residential unit, therefore, it is not considered necessary to fully comply with the national space standards in terms of new residential units. However, having carried out the floorspace calculations on the proposed annexe, it is apparent that the internal bedroom / living floor space meets the requirements of the 'Technical housing standards - nationally described space standards' and the building would also have openings affording in natural light and ventilation.

The proposed conversion would not constitute a self-contained unit as the internal alterations do not include a kitchen area and the annexe would clearly be reliant on, and tied to, the main residential property. The internal floor area would also restrict the building from being used as an independent residential unit. In this regard, a condition is suggested to ensure the building is used as an annex to the host residential flat.

Taking the above into account it is considered that the proposed development is in accordance with the aims of Planning Policy DM3 of the Hastings DM Plan which states that in order to achieve a good living standard for future users of proposed development it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes.

c) Impact on Character and appearance of area:

No external alterations are proposed to the building so there would not be a detrimental impact on the character of the existing dwelling or the surrounding area, including the setting of the historic park to the rear of the site.

d) Impact on Neighbouring Residential Amenities:

No external alterations or extensions are proposed and it is considered that the conversion of the existing outbuilding to an annexe would not have a detrimental impact on the residential amenities of the flats located at 1 Wykeham Road or any other adjoining properties. The garden area of the application site would continue to be used as private residential amenity space and the conversion of the building to ancillary living accommodation is not considered to result in any unacceptable noise or disturbance to neighbouring properties compared to the existing use and residential garden area.

e) Air Quality and Emissions:

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development will also not give rise to ground or surface water pollutions. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

## **6. Conclusion:**

These proposals comply with the development plan in accordance with Section 38 (6) of the Page 37 Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

## **7. Recommendation:**

### **Grant permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The conversion hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Flat 1, Wykeham Road, Hastings, TN34 1UA
3. The development hereby permitted shall be carried out in accordance with the following approved plans:

17.128/01

### **Reasons:**

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The building is not capable of functioning as an independent dwellinghouse and to safeguard the amenity of neighbouring residents and future occupants of the building.
3. For the avoidance of doubt and in the interests of proper planning.

### **Notes to the Applicant**

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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### **Officer to Contact**

Mr A Jolly, Telephone 01424 783250

### **Background Papers**

Application No: HS/FA/17/00751 including all letters and documents