

Report to: PLANNING COMMITTEE

Date: 08 February 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: **Winchester House, 93 Pevensey Road, St Leonards-on-sea, TN38 0LR**

Proposal: **Demolition of 2 storey extension to the East of Winchester House and provision of replacement 3 storey extension and glazed link accommodating 6no. 2 bed apartments**

Application No: **HS/FA/16/00691**

Recommendation: **Grant Full Planning Permission**

Ward: MAZE HILL
File No: PE90093V
Applicant: Amicus Horizon per Morgan Carn Partnership
Blakers House 79 Stanford Avenue Brighton
BN1 6FA

Interest: Developer
Existing Use: Vacant Residential

Policies
Conservation Area: Yes - Markwick Terrace
Listed Building: No

Public Consultation
Adj. Properties: Yes
Advertisement: Yes - Conservation Area
Letters of Objection: 4
Petitions Received: 0

Application Status: Not delegated - More than 2 letters of objection received

Site and Surrounding Area

Winchester House is a large, imposing 4-storey building faced in dark red brick with a two-storey annexe to the side. It was built as a school in the late 18th Century and was converted to 15no. flats at a later unknown date. The whole building including the annexe is now vacant and has been for approximately 10 years. It is set within a spacious plot of land, is largely screened by trees and is accessed via an unadopted drive off Pevensey Road. It is

not visible from the road. The drive also serves 3 more modern 3 storey blocks of flats to the rear of Winchester House, namely Princes House, Kings House and Queens House.

Planning permission was granted for the conversion of the whole block (including the annexe) to 22 flats in October 2016 under reference HS/FA/16/00529.

Constraints

Flooding Surface Water 1 in 1000
Tree Preservation Order
Low Pressure Pipeline SGN
Network Rail Tunnel
Markwick Terrace Conservation Area

Proposed development

This application comprises the demolition of the existing 2-storey extension to the east of Winchester House and provision of a replacement 3-storey extension with glazed link accommodating 6 X 2 bed apartments. The proposed extension will be separated from the main Winchester House building by a 3-storey glazed link. The extension will have a separate entrance and there will be no physical access between the new extension and the existing main building.

When originally submitted, the proposed extension was unacceptable in terms of bulk, mass and scale. The siting of the proposed extension was detrimental to the setting of the main building in that it was positioned too far forward. Amended plans were subsequently submitted showing the extension moved back to be in line with the main front facade of Winchester House.

The scale of the proposed extension has also been amended and is now more subservient to the main building. A flat elevation to the extension has also been amended to incorporate a canted bay on the frontage.

A total of 18 unallocated parking spaces are available for the whole of Winchester House. This is the amount approved under reference HS/FA/16/00529. A cycle store for 30 bikes is proposed.

The application is supported by the following documents:

Bat surveys July 2016
Arboricultural Survey June 2016
Preliminary Ecological Survey June 2016

Relevant Planning History

- HS/FA/16/00529 Renovation of building, including revised layout from 15 flats to 22 (18 X 1 bed and 4 X 2 bed flats)
Granted 28 October 2016
- HS/FA/05/00456 Refurbishment and conversion of roof space to provide 10 X new flats
Refused 22 July 2005
- HS/FA/02/00534 Conversion of roofspace into maisonettes, external elevation improvements and new rear balconies
Granted 07 March 2003

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

- DS1 - New Housing Development
- FA4 - Strategy for Central St Leonards
- SC1 - Overall Strategy for Managing Change in a Sustainable Way
- EN1 - Built and Historic Environment
- H1 - Housing Density
- H2 - Housing Mix

Hastings Local Plan – Development Management Plan (2015)

- LP1 - Considering planning applications
- DM1 - Design Principles
- DM3 - General Amenity
- DM4 - General Access
- HN1 - Development Affecting Designated Heritage Assets
- HN3 - Demolition Involving Heritage Assets
- HN8 - Biodiversity and Green Space

Other Policies/Guidance

Regulation 41 of the Habitats Regulations 2010 (also known as Habitats directive (4))

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.

Section 12 para 131 states:

"In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness."

National Planning Policy Guidance (NPPG)

Within the NPPG it states that good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design. 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.

Paragraph 4 of the NPPG states that local planning authorities are required to take design into consideration and should refuse permission for development of poor design. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area. This could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposals economic, social and environmental benefits).

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.

Historic Environment - Para 003 - REF 18a-003-20140306

The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in everyday use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use and so, for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved and, where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So, where the complete or partial loss of a heritage asset is justified, the aim is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past and make that publicly available.

Consultations comments

Highways - **No Objection**

Conservation Officer - **No Objection** subject to conditions

Ecology Officer - **No Objection** subject to conditions regarding submission of a method statement and requirements for a licence from Natural England.

Arboricultural Officer - **No Objection** subject to protection of trees and landscaping

Southern Water - **No Objection** subject to conditions regarding details of drainage and informative

Network Rail - **No Objection** subject to advisory note regarding close proximity to underground shaft

ESCC Flood Risk Management (SUDS) - **No Objection**

Representations

5 representations received from 5 different properties

Reasons for objections are as follows:

Impact on St Michaels Hospice and rear gardens in Pevensey Road

Contrary to Policies EN1, DM1, DM3 and HN3

Lack of floor plans

Lack of entrance facilities

Parking plan/bin storage

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.

Impact on Character and appearance of area/Conservation Area

Winchester House lies within the Markwick Terrace Conservation Area which is characterised by large villas and houses that are set in large plots, many of which have been converted to flats. The surrounding streets have a spacious feel to them with many wooded/leafy areas.

Policy HN3 is relevant to the assessment of this application as it discusses demolition within a Conservation Area. The policy states that, where planning permission is sought for a scheme that involves the demolition of all or part of a heritage asset (including buildings and structures within a conservation area), planning permission will only be granted where:

- a) justification of the need to demolish the building, a structural report, evidence of redundancy and of attempts to market the building to a new user have been submitted;
- b) detailed proposals for the viable re-use of the site have been submitted;
- c) any replacement buildings are of sufficient quality to make a positive contribution to the area;
- d) there is robust evidence that there is a reasonable prospect of the development going ahead, in a timely manner, following the demolition.

The Council will only grant planning permission for the demolition of a heritage asset in exceptional circumstances. Within conservation areas there may be buildings that have a negative impact upon the local character. The Council will encourage schemes that involve the demolition of these negative buildings if it can be demonstrated that their removal and the proposed replacement development enhances the conservation area in question.

The Council may seek to enter into an agreement, or impose a condition upon a decision, to ensure that demolition does not take place until a programme of works is agreed that ensures that development commences as soon as practical after demolition.

Although the loss of the existing annexe is unfortunate, it is noted that the demolition relates to only a portion of the building, rather than the whole. Therefore, whilst no structural report has been submitted in support of this application, the general aims of criteria a) and b) of policy HN3 are considered to be met or not relevant in that the main building has been vacant for over 10 years, will be converted for a viable residential use and will remain largely intact. It is considered that the replacement extension is respectful to the design of the main building and will not be harmful to the Conservation Area as a whole. Taking this in to account, it is considered that the sympathetic rebuilding of the premises is acceptable. The proposal will also bring a vacant, uninhabitable property back in to use.

The proposal is therefore compliant with policy HN3 and is considered acceptable as it would positively contribute to the character of the streetscene and the Old Town Conservation Area.

Layout

The proposed extension will provide 6 x 2 bed apartments, layout sizes per apartment as follows:

Lower Ground Floor

Flat 1 - 73.5m²

Flat 2 - 73.5m²

Ground Floor

Flat 3 - 73.5m²

Flat 4 - 73.5m²

First Floor

Flat 5 - 71.5m²

Flat 6 - 71.5m²

The floor areas of the proposed apartments are compliant with the Government's Technical Housing Standards.

The parking layout comprising a total of 18 unallocated spaces is considered acceptable.

Although the proposed layout shows space for storage for 30 no. cycles, this is considered excessive for the number of flats and the space would be better utilised for bin storage. A condition is therefore imposed to finalise the layout for bin storage and cycle parking (hard landscaping condition).

Affordable Housing

The proposal is for the erection of an extension which will accommodate 6 X 2 bed flats. This falls below the threshold of 10 net dwellings which would trigger the provision of affordable housing. That said, the development is being provided by Amicus Horizon, a Registered Social Provider. As such the premises are likely to be affordable in any event, however the Council would not seek to secure this as there is no policy requirement to do so.

Impact on Neighbouring Residential Amenities

Winchester House is largely screened from surrounding properties by woodland and heavy planting. Although there are concerns from some objectors regarding the proximity of the building to St Michael's Hospice and rear gardens of Pevensey Road, it lies over 40m from the main hospice building and over 65m to the rear of the properties in Pevensey Road. This distance and distances to other nearby properties are considered to be sufficient to avoid harm to their residential amenities.

The proposal is therefore compliant with Policy DM3 of the Hastings Development Management Plan.

Ecology

An initial ecology and bat survey recommended mitigation measures for protected species. The survey concludes that bat roost/nesting places have been identified within Winchester House. As such, 2 conditions will be attached to the recommendation which requires further mitigation measures relating to protected species. The recommendation has been made whilst taking into account Regulation 41 of the Habitats Regulation 2010 (also known as the Habitats Directive) and considering Natural England's Standing Advice.

Trees

Although 2 trees will be lost as a result of the development, they are of a low grade (Category C) and are Sycamores. A Holm Oak may also be affected by the proposals, however this is also a Category C tree and could be lost if necessary in order for the construction to take place. Conditions requiring a tree protection plan and soft landscaping/planting are attached to the recommendation.

Highway Safety/Parking

The site is accessed via an unadopted drive off Pevensey Road. A parking layout showing 18 unallocated spaces (for the whole development of Winchester House) has been provided to the satisfaction of East Sussex County Council Highways Department. Although this

quota may appear low the development is located in a sustainable location, well served by shopping facilities in Kings Road and Norman Road. Buses stops and Warrior Square Railway Station are a short walk away.

Conclusion

The demolition of the existing and redevelopment of a 3-storey extension is considered acceptable as it will not harm the character and appearance of the surrounding conservation area. The scheme complies with the requirements for the conservation of heritage assets, as set out in the NPPF. It also complies with the requirements of local plan policies EN1, HN1 and HN3.

The additional housing proposed will contribute to the much needed housing quota for the Borough and assist in bringing the long vacant Winchester House back into use.

The proposal is therefore recommended for approval subject to conditions.

These proposals comply with the development plan in accordance with Section 38 (6) of the 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.

Recommendation

Grant Full Planning 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 development hereby permitted shall be carried out in accordance with the following approved plans:

2-SP-22 REV D, 3/B/01-10. 1625P/101B, 102B, 103A, 104A, 105A, 106A, 107A - 107. 2/PKG/23 Rev D. 24 Rev A. 2-SP-22 Rev B.
3. With the exception of internal works the demolition and building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.

4. No development shall take place (including any demolition, ground works, site clearance) until a method statement for creation of new wildlife features such as bat roosts and structures and for the demolition of buildings has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed designs and/or working methods necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance;
- g) disposal of any wastes arising from works

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

5. The demolition of any part of the building shall not, in any circumstances, commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 53 of the conservation of habitats and species Regulations 2010 authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licencing body to the effect that it does not consider that the specified activity/development will require a licence.

6. No development above ground shall take place until full details of the hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; bin storage; car parking/cycle parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, refuse or other storage units, signs lighting etc.); retained historic landscape features and proposals for restoration, where relevant.

7. All hard landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

8. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include an updated tree protection plan, indications of all existing trees and hedgerows on the land including details of those to be retained, together with measures for their protection in the course of development. New soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with

plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate together with an implementation programme.

9. All planting seeding or turfing comprised in the approved soft landscaping scheme shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
10.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
 - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
11. No development shall take place above ground until samples of the following materials to be used in the construction of the external surfaces of the extension hereby permitted have been made available on site and approved in writing by the Local Planning Authority
 - a) brick for the main elevations and projecting string course of the extension
 - b) brick for the rubbers to be used for the segmental brick arches above the windows
 - c) roof slate and ridge tile
 - d) single ply membrane for flat roof area

Development shall be carried out in accordance with the approved details.

12. No development shall take place above ground until details of the following have been submitted to and approved in writing by the Local Planning Authority.
 - a) joinery details of all new doors and windows
 - b) details of materials and finishes of proposed curtain walling including

horizontal and vertical sections at 1:10 scale

c) details of materials and profiles of the proposed window cills

Development shall be carried out in accordance with the approved details.

13. The brick bond on the main elevations, the projecting brick string course and the segmental brick arches above the new window openings shall all exactly replicate the detail of these features on the original building.
14. No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BS5837:2012: Trees in relation to design, demolition and construction, standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.
15. No flat hereby approved shall be occupied until readily accessible external storage space for refuse bins awaiting collection have been provided to the satisfaction of the Local Planning Authority.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of adjoining residents.
4. To protect features of recognised nature conservation importance.
5. To protect features of recognised nature conservation importance.
6. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
7. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
8. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
9. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
10. To ensure that no property is occupied until adequate drainage facilities have been provided.
11. In the interests of the character and amenity of the Markwick Terrace Conservation Area.

12. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
13. In the interests of the character and amenity of the Markwick Terrace Conservation Area.
14. In the interests of the health of the trees and to protect the visual amenity.
15. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

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.
3. The developer is advised to contact Asset protection [Kent AssetProtection kent@networkrail.co.uk](mailto:kent@networkrail.co.uk) prior to any works commencing on site due to the location of a hidden shaft within the region of the proposed application.
4. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.

Officer to Contact

Ms K Phillips, Telephone 01424 783250

Background Papers

Application No: HS/FA/16/00691 including all letters and documents