

Report to: PLANNING COMMITTEE

Date: 21 June 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: Flat 14, Wilton House, Grosvenor Gardens, St Leonards-on-sea, TN38 0AG

Proposal: Proposed third floor extension to existing second floor flat to form bedroom and terrace area.

Application No: HS/FA/17/00149

Recommendation: Grant permission

Ward: WEST ST LEONARDS
File No: GR75001V
Applicant: Knight & Knoxley Estate Agents per Elevations Design Ltd Junction House 1 Sedlescombe Road South St Leonards on Sea TN38 0TA

Interest: CERT B - Tenancy
Existing Use: Residential

Policies
Conservation Area: Yes - Grosvenor Gardens
Listed Building: No

Public Consultation
Adj. Properties: Yes
Advertisement: Yes - Conservation Area
Letters of Objection: 3
Petitions Received: 0

Application Status: Not delegated as 3 letters of objection

Notes

Members Expire: No
Neighbours or same as advert expiry if later.
Advert Expires: 21 April 2017
Objection letters read: Y
Site Visited: 28 March 2017

Site and Surrounding Area

The site comprises a substantial traditional residential terraced property, Wilton House that has historically been sub-divided into flats, numbers 9 to 18 Grosvenor Gardens. The flats are situated within the Grosvenor Gardens Conservation Area. The property has rear views to the west overlooking the old open-air bathing pool site (Lido) on the Sea-front that is now grassed over and currently allocated for mixed-use development (residential and commercial) in the Hastings Development Management Plan (policy FB3). Directly to the front of the property is historic Grosvenor Gardens. The sea-front is within approximately 25m of the property at the end of the terrace.

The application property is flat number 14, a small rear facing second floor flatlet that occupies the top level of the rear off-shoot to the property. As existing it has a single living space with kitchenette and bathroom, internal space measuring approximately 27.75sqm.

There is little external curtilage space to either the front or back of the property. There is no off-street parking to this property. There are no parking restrictions on-street.

Constraints

Grosvenor Gardens Conservation Area

Within 600m of playground buffer zone

Area susceptible to ground water flood risk (high)

Area susceptible to 1in 100 surface water flood risk

Area in Environment Agency Flood zones 2 & 3

Proposed development

The proposal is for a third floor extension to existing second floor flat to form bedroom and terrace area:

The extension would be located on the flat roof of an existing 3-storey rear projection and cover just over half of the roof area.

A new internal staircase in the living room at second floor level will allow access to the new accommodation. The extension will provide a bedroom with en-suite shower-room / WC and a small roof terrace area that would be accessed from glass doors opening from the new bedroom. The extension would be located next to an existing rear chimney stack and would sit in front of and adjacent to two dormer windows in the main rear roof, one of which serves a communal staircase and the second smaller window serves what appears to be the bathroom of flat No.18.

The proposed small roof terrace area measuring approximately 3m x 3.33m (10sqm) would be situated to the side of the rear chimney stack adjacent to the larger of the rear dormer windows. This window opens from the internal communal staircase between the second and third floors of the main property. The proposed roof terrace would be surrounded by a galvanized metal railing measuring 0.75m in height.

The application is supported by the following documents:

Heritage Statement

Site Waste Management Plan

Relevant Planning History

none relevant to this dwelling.

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy EN1 - Built and Historic Environment

Policy FA1 - Strategic Policy for Western Area

Policy FA6 - Strategic Policy for The Seafront

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy SC3: Promoting Sustainable and Green Design

Policy SC4: Working Towards Zero Carbon Development

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)

Policy HN2 - Windows and doors in Listed Buildings and Conservation Areas

Other Policies/Guidance

Supplementary Planning Document 2 (SPD) - Windows and doors in Listed Buildings and Conservation Areas

DCLG Technical Housing Standards - nationally described space standards

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.

Paragraph 134:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Consultations comments

Estates Manager - **No comment**

Conservation Officer - **No Objection**

The Conservation Officer recommended that the window pattern be given a more vertical emphasis to help the extension appear secondary to the main rear off-shoot and less dominant to protect the character of the conservation area.

Representations

3 letters of objection have been received raising the following concerns:

- Blocking of light to the hallway / stairs;
- View from and light into bathroom of Flat 18 adversely affected
- Fire Escape of Flat 17/18 restricted
- Building not strong enough to support additional weight of this proposed roof top extension

Determining Issues

Impact on the character of the conservation area;

Impact on residential amenity of neighbouring dwellings - loss of natural light and privacy.

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 Conservation Area

Policy HN1 of Hastings Development Management Plan requires proposals that affect the setting of conservation areas to be assessed to ensure that the proposed development sustains and enhances the significance of the heritage asset. In this case the heritage asset is the Grosvenor Gardens Conservation Area. Historic Grosvenor Gardens are situated to the front of the property. While the front elevation of the terrace fronts the historic garden and is important to the heritage asset, the rear elevation of the terrace forms the boundary to the conservation area and overlooks an area allocated in the Local Plan for mixed use development and is therefore of less significance to the character of the area. The property is not listed.

The Heritage Officer was consulted and raised no objection to the proposal, but advised that the style of window proposed be more vertical to reduce top-heavy appearance and help the proposed extension appear subordinate to the main building. New amended plan 17.863/02 Rev B was submitted in response to the Conservation Officer's comments. It shows the windows altered from the original square looking window panes (80cm x 100cm) to narrower

window panes measuring 60cm x 100cm. The windows would still cover the same proportion of this proposed new extension but the number of proposed glazed panes is increased from 4 to 5 on the rear elevation showing uprights between. This would provide a more vertical emphasis and helps to make this new extension feature appear slightly more subordinate when viewed from the street scene. It will be a better match to the design of two other existing roof top extensions along the rear of this terrace which have a vertical emphasis to their windows.

Planning precedence has been set by the two other existing roof top extensions along the rear of the terrace and the design of this proposal would not look harmfully out of place situated near to them.

The design is contemporary with zinc sheet finish; grey UPVC doors and windows and the terraced area would be enclosed by a galvanized metal handrail. The design is not intended to replicate the traditional design of this property rather it is a contemporary new addition that will clearly show that it is not part of the original as built, but rather a contemporary complement to the existing building.

Policy HN3 of Hastings Development Management Plan and SPD 2 for Windows and Doors in Listed Buildings and Conservation Areas provide guidance on using traditional materials and styles for windows and doors in conservation areas. In this case the materials are rather zinc sheet finish that would match the finish of the existing roof-top extension at nearby number 6. The UPVC windows and doors will fit with the existing UPVC windows and doors of the rest of the building's rear elevation. They will be grey in colour to better match the zinc and this will help them stand out less. Many of the window and door materials in the rear of neighbouring properties along the terrace are also UPVC.

The metal rail to the proposed small roof top terrace area which measures approximately 3m x 3.33m (10sqm) would be galvanized metal and be 0.75m in height. Galvanized metal is considered to be a reasonable rust proof material and acceptable.

In this rear elevation situation at the boundary to the conservation area and overlooking a site allocated for mixed new development, the proposed materials would be acceptable. The contemporary design would be complementary to the building as originally built and a suitable match to the other rear roof height extensions along this terrace.

It is considered to be an acceptable design for a secondary addition to the building and is not considered to cause substantial harm to the significance of the conservation area consistent with the guidance in the NPPF paragraph 134.

Layout /Future Residential Amenities

The existing internal layout of the application flat falls short of the current national minimum internal space standards (March 2015). The internal space as existing measures only 27.75sqm and this proposal will increase the internal space by approximately 11sqm increasing it to approximately 38.75sqm which brings it within the national internal space standards for a 1 bedroom, 1 person flat with a shower-room instead of a bathroom. The bedroom space proposed would meet the internal space standard of 7.5sqm for a single bedroom and it would be at least 2.15m wide. The proposal would therefore improve the standard of accommodation and residential amenity of this small flat.

Impact on Neighbouring Residential Amenities

Objections received include impact on the amenity of the neighbouring flat number 18, objecting that the proposal would adversely affect the view and light to that property's bathroom. The proposal would be situated in front of the smaller rear roof dormer, but as existing the rear dormer window is covered with cladding up to a small top opening window. The proposed extension would only stand in front of the existing clad section of this dormer. The window opening above the cladding would remain unobstructed and be above the height of the proposed extension and so the proposal is not considered to cause loss of existing natural light into the rear dormer or harmfully obstruct the existing view from it.

Objection has been raised that light into the hallway of the main building would be affected. The large existing window in the rear of the main sloping roof serves the communal staircase between floors 2 and 3 and while the proposal would slightly reduce light into this large window it would not reduce received natural light sufficient for the proposal to be refused. The window serves a communal staircase (not a main habitable room) and the height of the window would stand higher than the height of the proposed extension and, as it is situated at roof height, will still receive acceptable levels of natural light. A condition would need to be attached to any decision to approve to ensure that the adjacent terrace use would not cause unacceptable obstruction to natural light into this window and that no external screen or other visual block be placed across it.

The large staircase landing window would overlook the new proposed roof terrace. While this has the potential to affect the privacy of occupants of the proposed terrace and the users of the stairway, as the stairway is only a communal passage the impact on internal privacy is not considered unacceptable. The window does not serve a habitable room so its effect on the privacy of occupants of the proposed roof terrace is not considered to be unacceptable.

Neighbour objections received raise concerns that the building is not strong enough to support this proposed roof extension and that it would restrict fire escape for flats 17 and 18 from the landing window onto the flat roof. These fire-safety concerns and building strength concerns would be matters covered under building regulation, which is a separate raft of legislation to the Planning Act. An informative would be attached to any decision to approve to draw the applicants attention to the need for building regulations. A planning condition would be attached to ensure that the landing window would remain unobstructed. From a planning stand-point it appears that in the event of an emergency the proposed terrace with patio doors opening from the small roof terrace into the application flat with a new internal staircase would provide an additional stair exit between the second and third floors.

Flood risk

The site is susceptible to groundwater and surface water flood risk, but as the application flat is at 2nd floor level it is not considered that the application dwelling is at risk of increased flood. Other properties along the terrace have similar rear extensions and there are no known or anticipated adverse impacts either to or from flood risk in this area from this proposal.

Sustainable Construction

As discussed above the proposal would be developed to current Building Regulation standards and as such would provide accommodation to a sustainable enough standard for the small extension development proposed.

Conclusion

Recommend Approval:

The proposal would not cause substantial harm to the character or appearance of the conservation area or the setting of heritage assets. The scale and design of the proposed extension would be acceptable to this large rear elevation and appear subordinate to the main building. It is not considered to cause adverse harm to the amenity of neighbouring properties. The proposal would improve the internal space of the existing flat to bring it up to national internal space standards and provide this small flat with a small external roof terrace to improve the amenity and quality of accommodation for future occupants.

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 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:

17.863/02 Rev B
3. The terrace area hereby approved must at all times be kept clear of external obstruction or screening that would block or screen the existing rear window.
4. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be those shown on approved drawing number 17-863/02 Rev B:
Zinc sheet finish
Grey UPVC windows and doors
Galvanized metal handrail
5. With the exception of internal works the 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.

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. In the interests of neighbour amenity.
4. In the interests of the visual amenity of the area.
5. To safeguard the amenity of adjoining residents.

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 proposal is for extension and alteration to residential dwelling(s) to which the Building Regulations 1991 apply. The grant of this planning permission does not affect or reduce any need for building regulation necessary before the development takes place.
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Officer to Contact

Ms N Ranson, Telephone 01424 783253

Background Papers

Application No: HS/FA/17/00149 including all letters and documents