

Report to: PLANNING COMMITTEE

Date of Meeting: 15 November 2017

Report from: Assistant Director of Housing and Built Environment

Application Address: 8 Grosvenor Crescent, St Leonards-on-sea, TN38 0BX

Proposal: Conversion of the existing building from 4 x flats to 7 x one and two bed flats, with extensions to the ground, first, second floors and roof of the western side/rear elevations, the raising of the rear section of existing ridgeline, the insertion of a window in the front elevation, the demolition of one chimney and reinstatement of another chimney, and the formation of an enclosed refuse/recycling & cycle store on the rear elevation

Application No: HS/FA/17/00625

Recommendation: Grant Full Planning Permission

Ward: WEST ST LEONARDS

Conservation Area: Yes - Grosvenor Gardens

Listed Building: No

Applicant: UK Property Solutions (Sussex) Limited per Corbil Estates & Planning Ltd 46 Navigation Drive Yapton Arundel BN18 0FS

Interest: Freeholder

Existing Use: Residential flats.

Public Consultation

Site Notice: Yes

Press Advertisement: Yes - Conservation Area

Letters of Objection: 3

Petitions of Objection Received: 0

Letters of Support: 0

Petitions of Support Received: 0

Neutral comments received 0

Application Status: Not delegated -

1. Site and Surrounding Area

The site is located on the main A259 which runs parallel with the sea front. The premises consists of an imposing semi-detached, three storey building with double height bay windows and large forward projecting gables at second floor level. The pair of properties at 7 & 8 are directly opposite Grosvenor Gardens, with the promenade and the shore beyond. There is no parking associated with the premises although on street parking is available at the front of the site. To the rear of the property are the cliffs associated with West Hill Road which are designated as a local wildlife site.

The premises has historically been converted into four separate residential units.

Constraints

Flood Zone 2 Environment Agency

Flood Zone 3 Environment Agency

SSSI Impact Risk Zone

Estate Agent Boards Control Zone

2. Proposed development

For ease the application has been split in to two elements.

1 - Conversion of the existing premises from four flats to seven, these flats are to be laid out as follows;

Ground floor

- Flat 1 - 64m²
 - Bed 1 - 14.4m² - Double
 - Bed 2 - 8.96m² - Single

- Flat 2 - 77m²
 - Bed 1 - 13.4m² - Double
 - Bed 2 - 10.82m² - Single

First Floor

- Flat 3 - 49m²
 - Bed 1 - 13.73m² - Double

- Flat 4 - 50m²
 - Bed 1 - 21.18m² - Double

Second Floor

- Flat 5 - 51m²
Bed 1 - 12.22m² - Double

- Flat 6 - 50m²
Bed 1 - 13.27m² - Double

Roof Level

- Flat 7 - 63.9m²
 - Bed 1 - 11.8m² - Double
 - Bed 2 - 9m² - Single
 - Office - 7.4m²
 - Bed 2 and office combined - 16.77m²

2 - L - shaped extensions to ground, first and second floors, insertion of window in the front elevation and 5 rooflights, demolition of one chimney, re-instatement of alternative chimney and the formation of an enclosed refuse/recycling and cycle store to the rear. It is also proposed to create 2 dormer windows (side and rear), raise and reposition the existing ridge line to the rear to match the main ridge line and create a gable roof to replace an existing flat roof of an existing two storey side extension.

Dimensions

Ground Floor: Rear Extension, including bin and cycle store 4 - 6.7 metres from rear elevation, 9.1 metres in width, 4 metres in height, approximate floor area 42.5m², create new roof above existing side projecting element

First Floor: Extension including cantilevered terrace and balcony - 2.26 - 6.4 metres from rear elevation, 9.1 metres in width, approximate floor area 46.8 m²

Second Floor: Balcony Extension - 2.6 - 3.5 metres from rear elevation, 9.1 metres in width, approximate floor area 45.48m², create pitched roof above existing side projecting element (left elevation)

Roof: Rear dormer 2.7 metres in depth from roof slope, 4.7 metres in width, 2.7 metres in height. Side dormer 2.8 meters from existing roof slope, 3.6 metres in width, 3.1 metres in height. Increase height of portion of rear roof 0.9 metres, insertion of window in front gable and 5 rooflights across roof expanse. Demolish existing chimney and erect new chimney to reflect neighbouring property.

The application is supported by the following documents:

- Heritage Statement
- Planning Statement
- Flood Risk Assessment

Relevant Planning History

- HS/FA/83/00302 - Conversion of ground floor flat to two self contained flats
Granted - 15/06/1983

- HS/FA/67/00639 - Conversion of maisonette into two self-contained flats.
Granted - 29/06/1967

- HS/FA/56/00409 - Enclosure of balcony to form conservatory.
Granted - 11/09/1956

National and Local Policies

Hastings Local Plan - Planning Strategy (2014)

Policy FA1 - Strategic Policy for Western Area

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

Policy EN1 - Built and Historic Environment (CA10 GROSVENOR GARDENS)

Hastings Local Plan - Development Management Plan (2015)

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy DM4 - General Access

Policy DM5 - Ground Conditions

Policy HN1 - Development affecting the significance and setting of designated heritage assets (including conservation areas) (CA10 GROSVENOR GARDENS)

Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas (CA10 GROSVENOR GARDENS)

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.

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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.

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Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

3. Consultations comments

Conservation Officer - **No objection**

Highways Officer - **No objection, subject to conditions**

Waste and Refuse Officer - **No objection**

Environment Agency - **No objection, subject to conditions**

4. Representations

In respect of this application a site notice was displayed at the front of the site. In response to this 4 letters of objection from 3 different properties were received. One of these letters was also anonymous. The concerns within these letters include:

- The impact on the Conservation area
- Overdevelopment of the premises
- Visual impact on the area
- Impact on neighbouring residential amenities
- Loss of privacy due to dormer extension
- Levels of noise disturbance
- Lack of parking
- Inappropriate use in the area

Correspondence has also been received from Councillor Beaver, the local ward member for West St Leonard Ward, calling the application to planning committee. The grounds for the call in are:

- The development being contrary to Policy DM1(b) in terms of the lack of showing an appreciation of the surrounding neighbourhoods historic context, street patterns, plot layouts and boundaries and scale height massing and materials in terms of lack of appreciation of the surrounding, and
- The development being contrary to Policy DM1(e) in terms of the visual impact, including the height, scale and form of development that should be appropriate to the location.

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) Impact on Character and Appearance of the Conservation Area

Policy HN2 of the Hastings DM Plan requires that in conservation areas, the Council will seek to maintain the form and appearance of original windows, doors and roofs where this contributes to the character of the building and the significance of the wider conservation area.

The premises is located in a prominent position on the main highway along the sea front. The character of property is defined by its double height bay windows and large forward projecting gable at second floor level. No.8 forms part of a group of 4 pairs of similar style properties, all fronting on to Grosvenor Gardens. While all similar in size and scale, each of the properties within this group have different detailing and materials ranging from tile hanging, render, mock beams and window designs etc. As a result of this, while the properties clearly sit as a group, the overall symmetry between the properties has been reduced.

The majority of the external alterations proposed are located at the rear of the property. Whilst there may be distant views glimpsed from West hill Road, the distances and drop in land level are such that their impact would be very minimal. As such would not have an impact on the character of the Conservation Area. The alterations to the front elevation also are considered relatively minor and as such would not have a detrimental impact on the Conservation Area.

The alterations to the side, including the new chimney, side dormer and roof extensions would be visible from the public domain, however, due to the relatively narrow spacing between No.8 and 9 Grosvenor Crescent, these views would be angled and somewhat obscured.

The Conservation Officer has raised no objection towards the proposals and as such it is considered that the alterations and extensions would not have a detrimental impact on the

existing character of the property or the street scene along Grosvenor Crescent. The development therefore complies with Policy HN2 as quoted above, in terms of preserving and enhancing the wider conservation area.

c) Impact on Neighbouring Residential Amenities

Policy DM3 of the Hastings Development Management Plan states that in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes.

As stated above, concerns have been raised by local residents in relation to the potential for over development as a result of the sub-division of the existing flats. This is clearly a concern however, it must be acknowledged that the proposal would only result in the addition of three or four further bed spaces. Due to the scale of the existing premises, it is considered that this is a relatively minor addition and as such would not constitute over development. It is also considered that the development would not intensify the use of the premises to an unacceptable level resulting in an unsatisfactory impact on the amenities of the neighbouring properties.

There are no additional side facing windows in the right elevation of the premises, however, there are 3 roof lights and one small window at roof level, proposed in the left elevation facing towards No.9 Grosvenor Crescent. No.9 Grosvenor Crescent has no windows at this level and as such the windows would look on to its roof not causing overlooking. It is considered that due to the height of these windows, there would be minimal impact on the neighbouring property.

A series of balconies and terraces are proposed on the rear elevation of the premises to allow residents access to outdoor space. 1.8m obscure glazed screens are proposed along the sides of these balconies and terraces to ensure there would not be a loss of privacy to the neighbouring properties either side of the application site. The view to the rear of the site is of the steep bank, sloping up to the properties in West Hill Road at the top. The outlook from the balconies and terraces at the rear of the application property would not have an impact on the properties to the rear, due to the radical differences in ground level.

At first floor level on the rear of the premises it is proposed to erect a small extension, 1.2 metres in depth. The rear elevation at this level will then sit flush rather than stepped like the floor above. It is also proposed to install obscure screens along the sides of the new balconies, to ensure an acceptable level of privacy. These screens are set in from the boundary with No.7 Grosvenor Crescent by approximately 0.25 metres and sit approximately 2 metres from the closest rear windows in No.7. The first floor extension is considered relatively minor, however, due to the proximity of the neighbouring properties windows there would be a slight impact on the outlook from the first floor rear window belonging to the neighbouring property, No.7. While this is not ideal, the extension would only reduce the outlook from this window when looking across the application site to the north west. As a

result of this, and the potential loss of outlook being an existing angled and somewhat restricted view, it is not considered to be unduly detrimental. Similarly, the proposed extensions and alterations, by virtue of their location and scale, are considered not to impact upon the existing outlook from No.9 Grosvenor Crescent, and as such are considered acceptable.

Taking the above in to account, it is considered that the development would not have a detrimental impact on the amenities of the neighbouring properties in terms of loss of privacy, loss of outlook or overlooking. The development therefore complies with the requirements of Policy DM3 of the Hastings Development Management Plan.

d) Living Environment and Future Residential Amenities

The proposal has been assessed against the technical housing standards as produced by the Department for Communities and Local Government. The minimum floor space requirements for single storey units within this document are as follows;

- 1 bedroom single storey unit - 37m²
- 2 bedroom single storey unit - 61m²
- 3 bedroom single storey unit - 74m²

Flats one - six have been assessed against the above mentioned floor space standards and meet the minimum requirements for 1-2 bedroom units respectively. The bedrooms within these units have also been assessed and all are large enough to meet the 7.5m² for a single room and all those shown as doubles on the proposed plans, 6 in total, also meeting the minimum of 11.5m² required for double bedrooms.

Flat seven has been assessed as a 2/3 bedroom unit, due to the possibility that the office could be used as an additional bedroom. Having carried out the assessment, it is apparent that the unit falls short of the 3 bedroom figure, by approximately 10m². The unit does however meet the requirement for a 2 bedroom unit. The two defined bedrooms within the unit meet the bedroom size requirements, one as a double and one as a single, however, the office room falls just short of the minimum requirement for a single room. In light of this, it is suggested that a condition be imposed restricting the number of bedrooms within this unit to two.

Taking the above in to account it is considered that the development, subject to conditions, would provide adequate living accommodation for future residents and as such is acceptable.

e) Highway Safety/Parking

Due to the relationship with the highway it is not possible to provide off-street parking. This is a common feature along this area of the seafront. The site is located in an area that is well served by local shops and services. In addition the site is close to a bus route with services that link the site to large areas of St Leonards and Hastings including the town centre. With this in mind it is accepted that residents in the local area are not dependant on travel by

private car. There is also un-restricted, on-street parking available in Grosvenor Crescent. Taking this in to account is it considered that the proposed use would not have an unacceptable impact on the existing highway network in terms of parking or public safety.

Within the site there will be provision for the storage of 10 cycles. This figure exceeds the requirement of the highways authority and as such is considered acceptable. It is however suggested that a condition be imposed to ensure that the storage area is provided on site and retained thereafter.

f) Refuse Storage

A refuse storage area is to be provided at the rear of the premises with easy access to the highway when required on collection day. The residents will be required to relocate the bins to the front of the premises on collection day as refuse operatives will not collect the refuse from the rear of the property. This is a common occurrence along Grosvenor Terrace where wheeled bins are in use. It is suggested that a condition be imposed to ensure that this storage area is provided and retained thereafter.

g) Site Constraints

Flood Zone 2 & 3: To accompany the application a Flood Risk Assessment has been provided. This report identifies that the flood risk to the site is high and the ground floor is liable to flood to a depth of 0.3m. The report goes on to suggest various mitigation measures. The Environment Agency have been consulted on the proposal and have raised no objection, subject to conditions.

SSSI IRZ: The scale of development does not fall within the threshold for consultation with Natural England and as such it is not considered that there will be any impact on SSSIs.

Estate Agent Boards Control Zone: This control zone would not be impacted upon by the development.

6. Conclusion

Taking the above in to account it is considered that the proposed development is acceptable as there would not be an unacceptable impact on the amenities of the neighbouring residents or the character of the Grosvenor Gardens Conservation Area.

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.

7. 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: RS/00, RS/01, RS/02, RS/03, RS/04, RS05, RS/06, RS/07, RS/09, RS/11, RS/12, RS/13 and RS14.
3. The materials to be used in the construction of the external surfaces of the extensions and alterations hereby permitted shall match those used in the existing building.
4. The windows shown on the proposed plans shown serving bathrooms, en-suites or WCs shall be obscure glazed and remain as such at all times.
5. A 1.8 metre high obscure glazed screen shall be erected on the 1st, 2nd and 3rd floor balconies as shown on approved plans RS/03, RS/04 and RS/05 prior to completion of the development and retained thereafter.
6. Prior to completion of the conversion, the bin and cycle store as identified on plan RS/02 shall be provided on site.
7. Prior to completion of the conversion, evidence that the flood risk mitigation measures have been incorporated in to the scheme shall be submitted to and approved in writing by the Local Planning Authority. These shall include;
 - (i) Slot-in demountable barrier system at a height of 0.3 metres - 0.6 metres as per national guidance, to be positioned in front of each of the two external doorways at ground level
 - (ii) Airbricks and similar openings at ground level be made flood-proof
 - (iii) The hatch to basement level to be replaced with a flood-proof hatch door
 - (iv) Non-return valves to be installed to the foul effluent drainage network

The mitigation measures shall be fully implemented prior to occupation in accordance with the approved details and retained on site thereafter, unless otherwise agreed in writing by the Local Planning Authority in conjunction with the Environment Agency.
8. The office within flat 7 as shown on drawing RS/05 shall only be used as office space and at no point be used as an additional bedroom.
9. 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. To ensure that the finished extensions match the appearance of the existing premises.
4. To safeguard the amenity of adjoining and future residents.
5. To safeguard the amenity of adjoining and future residents.
6. To ensure a satisfactory standard of development.
7. To reduce the risk of flooding to the proposed development and future occupants in line with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.
8. To ensure a satisfactory standard of development and in the interests of highway safety.
9. 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. Consideration should be given to the provision of a domestic sprinkler system.
4. A Flood Warning and Evacuation Plan as included as Appendix D of the Flood Risk Assessment (dated June 2017) shall be prepared and a copy provided within each flat at all times.

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/17/00625 including all letters and documents