

Report to: PLANNING COMMITTEE

Date of Meeting: 18 July 2018

Report from: Assistant Director of Housing and Built Environment

Application Address: 45 Eversfield Place, St Leonards-on-sea, TN37 6DB

Proposal: Loft conversion with roof terrace to the front, Velux Cabrio balcony to the rear and solar panels.

Application No: HS/FA/18/00297

Recommendation: Grant Full Planning Permission

Ward: CENTRAL ST LEONARDS 2018

Conservation Area: Yes - Eversfield Place

Listed Building: No

Applicant: Mr & Mrs Chang per Pump House Designs Pump House Yard The Green SEDLESCOMBE, East Sussex. TN33 0QA

Public Consultation

Site Notice:	Yes
Press Advertisement:	Yes - Conservation Area
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 -
Application by serving employee in restricted post

1. Site and Surrounding Area

The application site comprises a mid-terrace five storey residential property located on the north side of the A259. The property is split into a basement flat with a single maisonette covering the upper floors. The site is located in the Eversfield Place Conservation Area. The terraced rear garden backs onto the rear garden of the residential properties fronting St Margaret's Road.

Constraints

SSSI Impact Risk Zone (threshold not exceeded)

Surface Water Flooding 1 in 30

Archaeological Notification Area

Eversfield Place Conservation Area

2. Proposed development

Loft conversion with roof terrace to the front. Velux Cabrio balcony to the rear and solar panels installed on the front roof slope.

The loft conversion would comprise cutting a central section of the front roof slope away and installing a set of double doors to provide access to a new roof terrace behind the existing roof level parapet. A 1.1m high toughened glass guard would be located at the end of the terrace behind the parapet.

Three solar panels are proposed on the front roof slope.

A single Velux Cabrio balcony window is proposed on the rear roof slope. The roof window opens up to form a balcony area.

Relevant Planning History

HS/FA/16/00092 - Change of use of ground, first, second and third floors from guest house to a single self-contained maisonette (retrospective) - Granted

HS/FA/15/00479 - Replacement windows and door to first floor balcony – Granted

HS/FA/95/00046 - Retention of mixed use as self-catering holiday accommodation during July August and part of September and self-catering flats for the remainder of the year
Change of use of ground, first, second and third floors from guest house to a single self-contained maisonette (retrospective) – Granted

HS/FA/94/00455 – Change of use from guest house to hostel – Refused

HS/69/01064 - Change of use of ground floor from guest house to private dwelling – Granted

HS/69/00731 – Change of use from dwelling to guest house – Granted

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central Area

Policy FA6 - Strategic Policy for The Seafront

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

Policy EN1 - Built and Historic Environment

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

Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas

Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest

Other Policies/Guidance

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 132 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

3. Consultations comments

Conservation Officer: **No objections.** The roof works would be largely screened by the parapet. Solar panels could be in-line / flush with the roof slope.

4. Representations

No representation received.

5. Determining Issues

The key determining issues are the design and impact on the host property and character of the conservation area and impact on neighbour amenity.

The Planning (Listed Building and Conservation Area) Act 1990 states with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 Conservation Area

The proposed front roof terrace and solar panels are not common features of the conservation area and could be deemed to have a harmful visual appearance on the historic setting if they are deemed to be visually prominent within the streetscape.

The submitted drawings show the solar panels projecting slightly from the roof slope whereas the Design and Access Statement advises that the solar panels would be flush with the roof slope. The agent and applicant have confirmed that the panels would indeed be flush with the slope. As such the larger section drawing shown on the proposed plans/elevations is superseded. The other section plan shows line of sight from the road is for illustrative purposes only and does not show the projection of the panel beyond the roof slope. Full details of the solar panels, including the manufacturing specification and flush design could be secured by condition.

However, in this instance the high-level roof alterations would largely be screened behind the existing roof top parapet and would not be significantly visible from street level below as evidenced by the cross-sectional drawings submitted in support of the planning application. A small section at the top of solar panels would be partially visible, however, due to the height above street level and viewing angles they are not considered to represent a prominent or harmful addition to this section of the conservation area. The conservation officer has advised that the proposals would not harm the character of the conservation area due to the discreet / screened location on the rooftop of the property.

The Velux Cabrio balcony on the rear roof slope would not be visible from any public vantage points along St Margaret's Road at the rear of the site and is therefore considered to be acceptable from a design perspective.

Conditions 3 and 4 relate to material samples and details of the solar panels.

c) Neighbour amenity

The adjoining terrace properties both have dormer roof windows that are located towards the front parapet / building line on the terrace row. The roof conversion would in part be formed by cutting into the existing roof slope and by doing so the terrace area would be screened in the main by the walls of the roof either side. As a result the proposed terrace area would not result in an unacceptable loss of privacy due to the obstructed and oblique viewings angles provided towards the neighbouring windows.

The terrace would introduce a new usable external amenity area, however, given the small footprint of the terrace it is considered that the use of the terrace would not give rise to significant or unacceptable noise or disturbance issues.

The rear roof window would not result in any unacceptable loss of neighbour privacy / overlooking due to the separation distances of over 25m to the residential properties located to the rear of the site.

d) 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 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).

e) Environmental Impact Assessment

The National Planning Practice guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

f) Screening of Application under Habitats Regulations 2010 - Impact of Development on Ashdown Forest Special Area Conservation (SAC)

The proposed development is located approximately 37.5 km from the Ashdown Forest Special Area of Conservation (SAC), 36 km from the Lewes Downs SAC and 10.5 km from the Pevensey Levels SAC. The proposal is not directly connected with or necessary to the management of the Ashdown Forest, Pevensey Levels or Lewes Downs SACs and therefore it is necessary to determine if the proposal has a likely significant effect on the conservation objective or special integrity of the SACs.

The increase in living area that is proposed is not directly related to increasing the size of the household or the number of households and, therefore, it is considered that the development will not increase the traffic movements generated by the household. The impact on the Ashdown Forest SAC in respect of nitrogen deposition as a result of this application, in combination with other relevant development, will remain unchanged. As such an Appropriate Assessment to consider whether the development could give rise to nitrogen deposition on the SACs is not considered necessary in this instance.

6. Conclusion

The proposal roof level alterations would be discreetly located behind the existing roof level parapet and would, therefore, preserve the character, appearance or setting of the conservation area in accordance with policy EN1 of the Planning Strategy and policies DM1, HN1, HN2 and HN4 of the Development Management Plan.

The proposal is considered acceptable in terms of the amenities of the adjoining occupiers in accordance with policy DM3 of the Development Management Plan.

It is therefore considered that the scheme represents sustainable development and is acceptable. As a result a recommendation of approval has been made for these proposals.

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:

5693/LBP, 5693/EX, 5693/1/B.
3. No development shall take place above ground until samples/details of the materials to be used in the construction of the external surfaces of the roof, dormer, and solar panels hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the details shown on the approved drawings full details, including the manufacturing specification, design, materials and where necessary cross- sectional drawings of the solar panels to be installed on the front roof slope shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement development. Development shall be carried out in accordance with the approved details.
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. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area and conservation area.
4. To ensure that the finished development takes proper account of the character of the surrounding area in its use of external materials in the interests of the amenity of the area and conservation 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.

Officer to Contact

Mr A Jolly, Telephone 01424 783250

Background Papers

Application No: HS/FA/18/00297 including all letters and documents