

Report to: PLANNING COMMITTEE

Date: 07 January 2015

Report from: Development Manager

Application Address: 38-39 Marina, St Leonards-on-sea
Proposal: Change of use from Mansion Flat (first floor) to 2no. self contained flats
Application No: HS/FA/14/00464

Recommendation: Grant Full Planning Permission

Ward: CENTRAL ST LEONARDS
File No: MA40037V
Applicant: Captain Hornblower Ltd per R D P Chartered Architects 14 Cross Street St Leonards on Sea East Sussex TN37 6DP

Interest: Owner
Existing Use: Vacant Flat

Policies

Hastings Local Plan 2004: H4, DG1, C1, C3
Conservation Area: Yes - Burtons' St. Leonards
National Planning Policy Framework: No Conflict
Hastings Planning Strategy: SC1, EN1, H2
Hastings Local Plan, Development Management Plan, Revised
Proposed Submission Version: DM1, DM3, HC1, HN1

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - Affects a Listed Building
Letters of Objection: 3
Petitions Received: 0

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

Summary

This is a full application for the conversion of a first floor flat to form two self contained flats. The flat, which is known as the Mansion Flat, is in a Grade II Listed Building and is located above the Colonnade shops, adjacent to Marine Court. An application for Listed Building Consent to carry out the alterations is to follow.

The main issue in considering this application is the impact on the Listed Building.

The proposal is considered to be acceptable and it is recommended that planning permission be granted, subject to conditions.

The Site and its Location

The application site is at first floor level to the front and at ground floor level to the rear. The front of the building faces the sea and the Azur Restaurant. Access to the Mansion Flat is from Undercliff to the rear of the building. The building is a Grade II Listed Building and it is within the Burtons' St Leonards Conservation Area. Many of the properties above the Colonnade shops have been converted into self contained flats.

The large living room is open plan, with a kitchenette area and it has a floor area of approximately 100 square metres. The flat has three bedrooms and two bathrooms, with one of the bedrooms and a bathroom being on a mezzanine level.

The property has retained many of its original features, including timber sliding sash windows and much of the decorative plasterwork and cornicing. The two bedrooms to the rear have a wall of stained glass windows to the north elevation.

Details of the Proposal and Other Background Information

The proposal is to create a two bedroom flat and a one bedroom flat. New partition walls will be constructed in the hallway to create separate entrances to what will become Flat 38 and Flat 39. The lounge will be partitioned to create the two living rooms and a new kitchenette will be constructed in the new living room for Flat 38. A further partition will create a corridor through from the entrance hall to the new living room for Flat 38. An additional bathroom will be constructed in Flat 39, providing en-suite facilities for both its bedrooms. There is existing refuse storage to the rear of the property in Undercliff.

The proposal originally submitted included additional partitions and a poor layout for the newly formed flats. It was considered the harm to the Listed Building was not acceptable. Following extensive negotiations, this amended scheme has been submitted.

Relevant Site History

HS/LB/13/00238	38-39 Marina: Internal alterations including a new kitchen layout Full Planning Permission Granted 01 July 2013
HS/LB/12/00458	38-39 Marina: Internal alterations (retrospective) Listed Building Consent Refused 26 November 2012
HS/FA/11/00928	37-38 Marina: Change of use from retail commercial to residential Full Planning Permission Granted 23 January 2012
HS/FA/09/0064 & HS/LB/09/00645	37-41 Marina: Restoration of external building envelope Listed Building Consent and Full Planning Permission

Granted on 11 February 2010

- HS/LB/06/00192 39-40 Marina:
Conversion and internal alterations to form self contained apartment
Listed Building Consent Granted on 23 May 2006
- HS/LB/04/00531 39-40 Marina:
Formation of first floor apartment
Listed Building Consent Refused on 13 October 2004
- HS/FA/04/00529 39-40 Marina:
Conversion of first floor to residential use
Full Planning Permission Granted on 01 October 2004

Details of Consultations

There have been 3 objections following neighbour consultation, display of Site Notice and advertisement in the Hastings and St Leonards Observer.

Of the planning matters the objections relate to parking, traffic, impact on historic assets and the loss of a large family home.

The **Housing Renewal Team** have no objection to the conversion.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 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 following policies and guidance are relevant to this application:

Hastings Local Plan 2004
Policy H4 – Housing Conversions
Policy DG1-Development Form
Policy C1 – Development within Conservation Areas
Policy C3 – Development involving Listed Buildings

Development Management Plan Revised Proposed Submission Version (emerging)
Policy DM1 - Design Principles
Policy DM3 - General Amenity
Policy HC1 – Conversion of Existing Dwellings
Policy HN1 – Development Affecting the Significance and Setting of Designated Heritage Assets

Hastings Planning Strategy
Policy FA2 - Strategy Policy for Central Area
Policy FA4 –Strategy for Central St Leonards
Policy SC1 –Overall Strategy for Managing Change in a Sustainable Way
Policy EN1 –Built and Historic Environment
Policy H2 – Housing Mix

Listed Building and Conservation Area

There are no external alterations and therefore the proposal has no impact on the Conservation Area. The partitioning required to divide the unit has been kept to a minimum and strategically placed in order to protect original features such as corncicing and skirting.

Proposed Use and Standard of Accommodation

The existing Mansion Flat has an excessively large living room with a kitchenette area. The proposal to divide the unit into two will still result in sufficient floor space for both the living rooms and all bedrooms. Although the outlook is restricted for the bedrooms with the stained glass windows, some of the glazing is clear and due to the size of the windows, it is considered that the outlook will be at an acceptable level.

The Mansion Flat has been vacant for some time and this will be an opportunity to bring the flat back into use.

Highways and Parking

This is for an increase of one unit and no increase in the number of bedrooms. Off street and on street parking is available nearby. The site is close to local transport links and is easily accessible to local shops and services.

Conclusion

Following extensive negotiations with the agent, it is not considered that the proposal now under consideration will harm the significance of the Grade II Listed Building. It will bring a vacant property back into use and will provide acceptable accommodation for future occupants. It is therefore recommended that planning permission for the change of use be granted subject to conditions. It will be necessary to submit a separate application for listed building consent for the alterations.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

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:

13.1260.001 & 13.1260.002D

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.

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. As the property is a Grade II Listed Building, Listed Building Consent is also required for the alterations. Separate planning permission and listed building consent will also be required for any external alterations to the property.

Officer to Contact

Mrs C Boydell, Telephone 01424 783298

Background Papers

Application No: HS/FA/14/00464 including all letters and documents