

Report to: PLANNING COMMITTEE

Date: 20 October 2015

Report from: Assistant Director of Housing and Built Environment

Application Address: Land Rear Of 27/28, North Street, St Leonards-on-sea

Proposal: Existing site to be carefully cleared with all listed elements protected and retained, a single new modern dwelling with two bedrooms to be formed. All existing listed walls will be protected and retained or adapted.

Application No: HS/LB/15/00300

Recommendation: Grant Listed Building Consent

Ward: CENTRAL ST LEONARDS

File No: NO75039

Applicant: SF&O Developments per Westall Walker Associates PO Box 21 Hastings East Sussex TN34 3WD

Interest: Freeholder

Existing Use: Vacant yard

Policies

Conservation Area: Yes - St. Leonards East

National Planning Policy Framework: Part 12

Hastings Local Plan - The Hastings Planning Strategy: No conflict

Hastings Local Plan - Development Management Plan: No conflict

Public Consultation

Adj. Properties: Yes

Advertisement: Yes - Affects a Listed Building

Letters of Objection: 9

Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

This application is for listed building consent for works associated with the residential development proposed in application HS/FA/15/00299 reported elsewhere on the agenda.

The buildings on North street are listed and while the new dwelling itself will not directly affect the listed buildings it will affect their setting, and works are proposed to the historic boundary walls. The works are considered acceptable in principle and it is recommended that consent is granted subject to conditions to ensure that the detail of the work is acceptable.

The Site and its Location

The site lies on the north side of North Street. The entrance to the site is via an arched, gated access between numbers 27 & 28 North Street, which are both Grade II listed buildings. The site lies within the East St Leonards Conservation Area and is currently vacant. It was previously used as a builders yard and is bounded by residential terraced houses/flats in Alfred Street, North Street and Gensing Road. In addition to numbers 27 and 28, in North Street numbers 16, 17, 18, 19, 20, 21, 22, and 23 on the opposite side of the road are all listed along with 33 and 34 on the other side of Union Street, and numbers 25 and 26.

Details of the Proposal and Other Background Information

This application is for listed building consent for works associated with the erection of a dwelling in the yard area. Planning application HS/FA/15/00299 for the dwelling is reported elsewhere on this agenda.

The proposed building is contemporary with rendered walls with timber panels and a flat roof. The windows have been carefully positioned to minimise any overlooking of neighbouring properties, and there would be several rooflights to provide additional light. The ground floor would include a 3 panel sliding door opening out onto a small courtyard.

The building would have a maximum length of 10m, reducing to 7.7m, and a maximum width of 6.7m. The height to the top of the parapet wall around the roof would be 5.8m.

Outside there would be access to the front of the property through an arch into North Street with a small courtyard to the front of the property. To the side would be a small irregularly shaped courtyard garden between 9.2m and 11.5m in one dimension and 2.1m and an 5.5m in the other.

As part of the development it is proposed to repair and stabilise the walls around the site, some of which are listed.

Relevant Site History

HS/FA/89/00058 Conversion of property to form 2 dwellings
Approved 8 March 1989

HS/LB/89/00059 Conversion of property to form 2 dwellings
Approved 8 March 1989

Details of Consultations

A total of 9 letters and a petition of objection have been received to this application. A number of the objections relate to planning issues and are considered elsewhere on this agenda in relation to the planning application. Objections to the listed building application relate principally, but not exclusively to the contemporary design that is proposed and the form and scale of the building.

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".

This is an application for Listed Building Consent, therefore the planning policies in the Local Plan do not apply. However, regard must be had to the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and to Section 12 of the National Planning Policy Framework.

The main issues here are whether or not the proposed works to repair and stabilise the listed sections of wall are acceptable and whether the proposed building is acceptable in terms of its impact on the setting of the listed buildings.

Works to the walls

The walls around this site form part of the archaeology of the area providing an indication of buildings which have previously been demolished. It is proposed to stabilise them, but the precise details of the work that will be necessary will not become clear until works start. This can be dealt with by way of a condition.

Setting of the listed buildings

There were previously buildings set behind the properties in North Street accessed through the archway, so it is appropriate in principle for a new building to be built on the site.

A good quality contemporary design is an acceptable design approach, and could be regarded as being more "honest" than a pastiche design mimicking an historic style. Towns develop over time and it is reasonable for development to reflect the design of the era in which they are built.

The proportions of the proposed building are relatively modest and the development will not adversely impact on the setting of the listed buildings, particularly because the boundary walls will be retained and repaired.

The proposals therefore accord with the advice in Section 12 of the National Planning Policy Framework in relation to Heritage Assets.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Recommendation

Grant Listed Building Consent subject to the following conditions:

1. The work to which this consent relates shall be begun before the expiration of three years beginning with the date on which this consent is granted.

2. The works hereby permitted shall be carried out in accordance with the following approved plans:

499-01-E, 499-02-D, 499-03-B, 499-04-C, 499-05-A, 499-133-A, 499-130-L, 499-131-G, 499-132-M
3. No works shall commence on site until a methodology statement with photographs for works to the boundary wall has been submitted to and approved in writing by the local planning authority. The method statement shall include:
 - a) Documentation of all distinguishable features within the curtilage listed walls in the form of a schedule with comprehensive photographic record identifying each element, whether it is to be retained or removed, the impact the feature has on the significance of the walls -Negative, neutral or positive and proposed making good. Schedule to be cross referenced to block plan.
 - b) Specification for the proposed repairs to the curtilage listed walls
 - c) Proposed capping detail for the curtilage listed walls
 - d) Cross section details of the interface between old and new to include constructed insitu planters at the base of the walls, at a scale of 1:5
 - e) Details of any proposed underpinning, strengthening, or reinforcing of the walls.

Notwithstanding the details as submitted, the existing curtilage walls shall remain structurally independent from the proposed development. No additional loading as a result of the proposed development shall be placed upon these walls.

4. No works shall commence until joinery details of the proposed gate have been submitted to and approved in writing by the local planning authority. Thereafter the works shall be undertaken in accordance with the approved details.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the historic character of the curtilage listed walls is adequately protected.
4. To ensure the architectural and historic character of the Grade II Listed Building is adequately protected.

Notes to the Applicant

1. Failure to comply with any condition imposed on this consent 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

Ms K Phillips, Telephone 01424 783250

Background Papers

Application No: HS/LB/15/00300 including all letters and documents