

App.No: 171170 (PPP)	Decision Due Date: 20 November 2017	Ward: Meads
Officer: Danielle Durham	Site visit date: 9 October 2017	Type: Planning Permission
Site Notice(s) Expiry date: 19 October 2017 Neighbour Con Expiry: 5 December 2017 Press Notice(s): n/a		
Over 8/13 week reason: to negotiate amendments		
Location: Minster House, York Road, Eastbourne		
Proposal: Insertion/enlargement of windows to North-West, North-East and South-East elevations. Patio doors to North-West elevation, leading to Yard formed by erection of 1.8m close-boarded fence. Installation of smoke ventilation rooflight above existing stair core.		
Applicant: Mr Mark Hibbert		
Recommendation: Grant planning permission subject to conditions		

Executive Summary:-

The proposals are to improve the accommodation for future occupiers; the principle of the change of use has already been established. The works are not necessarily required to facilitate that change of use but would provide better light and outlook for future occupiers. Following amendments the impacts on the amenity of nearby residential occupiers is considered acceptable with further controls by way planning conditions recommending installing obscure glazing to sensitive window locations.

Scheme is recommended for approval.

Relevant Planning Policies:

National Planning Policy Framework

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 12. Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C1 Town Centre Neighbourhood Policy
- D5 Housing
- D10 Historic Environment
- D10A Design

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas

UHT1 Design of New Development

UHT4 Visual Amenity

UHT15 Protection of Conservation Areas

UHT16 Area of High Townscape Value

HO20 Residential Amenity

Site Description:

Minster House is an existing part 3, part 4 storey building on the northern side of York Road. The property is not listed, nor is it situated within a conservation area however it is within an area of high townscape value.

The existing building fills the entire site, and was previously offices at ground and first floor and self contained residential accommodation at third floor level, though the building has been vacant for some time.

Relevant Planning History:

EB/1988/0689

CHANGE OF USE OF FORMER PRINTERS TO OFFICES ON GROUND, FIRST AND SECOND FLOORS AND TWO FLATS ON THIRD FLOOR

Approved Conditional

1990 -12-01

161219

Convert B1 (Business use) ground, first, second and third floor to C3 (dwelling house)

Prior Approval under Class O, part 3, Schedule 1 of the Town and Country Planning (General Permitted Development) (England) Order 2016

Granted unconditionally 28 November 2016

171171

Loft conversion/extension to form new dwelling, including dormer constructions and roof terraces to front and rear. Additional roof terrace to front at Third Floor level. Front elevation amended to remove part pitched roof and replaced with flat roof, with amended window configuration. Tower removed on front elevation.

Planning Application currently under consideration.

Proposed development:

This application seeks planning permission for alterations to the building to facilitate the change of use to residential granted by the Prior Approval application in 2016 (Ref: 161219). These alterations are;

- Insertion/enlargement of windows to North-West, North-East and South-East elevations; and
- Patio doors to North-West elevation, leading to Yard formed by erection of 1.8m close-boarded fence; and
- Installation of smoke ventilation rooflight above existing stair core.

Consultations:

Neighbour Representations:

5 Objections have been received from properties of both York and Bath Road and cover the following points:

- Impact of overlooking properties of Bath Road from windows in this elevation
- Intrusion of privacy and loss of peaceful enjoyment of properties on Bath Road.
- Windows in rear elevation are not required as has windows in the side elevation
- Sense of overlooking from high level balcony
- Light spilling from upper floor windows would impact on enjoyment of rear gardens at night
- Design in keeping with other properties?
- Increased noise from high level terraces on York Road frontage
- Minster house is already out of keeping with the area which are all modest design
- The proposal does nothing to facilitate affordable or social housing
- Unacceptable to have direct views into the rear gardens

1a York Road have commented that consent would be required for work affecting the South- East wall and this should not impair the privacy of nearby gardens.

Appraisal:

Principle of development:

The principle of the change of use to residential has already been agreed by the Prior Approval application. This application seeks to improve the standard of accommodation for future occupiers of the residential units to which there is no objection in principle providing the amenity of existing residential properties surrounding the site is not significantly harmed and the design of amendments is appropriate for the setting of the building.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

The application originally proposed new windows at ground, first, second and third floor level to the north-eastern elevation facing the rear of properties to Bath Road. The ground floor windows were proposed high level, 1.8m above FFL and obscurely glazed but openable, the first floor were proposed high level but clear and openable. However following advice that this was not likely to be acceptable this element of the proposal has been amended. The windows at ground and first floor level in this elevation have now been removed from the scheme.

The windows at ground floor level were wholly unacceptable as they were literally on the rear boundary of the Bath Road properties garden, which has no other boundary treatment. This would result in a significant perception of overlooking even if they were high level internally.

There would be an increased impact from the additional windows in this elevation from increase light spillage to the rear of Bath Road, however this area is heavily populated, with small dwellings, contained within small plots, and in close proximity to each other, with flats about the shops of Grove Road also immediately adjacent. Whilst it would be different to facing a solid wall it is not considered that the size of window at second and

third floor levels would result in significant light spillage to be detrimental to the amenity of the adjacent properties.

The same issue above affects the property adjacent to the south-east no.1a York Road. The originally proposed ground floor window directly onto the rear garden of this property has been removed from the scheme. The first floor window in this elevation is existing and therefore cannot be controlled by this permission.

Other windows in both the south-east and north-east elevations at second and third floor levels are increased in size, however given the height it is not considered that the impacts would be significant to warrant a refusal of the application on this ground.

The new fence to create the yard area for one of the ground floor flats would likely have some impacts on the properties to the west however it is considered that this fence could be installed without the requirement for planning permission given its height and location. This will provide a small outside amenity space for this flat. New doors and windows in this elevation at ground floor level given the proposed fence will have little impact in terms of overlooking to the immediately adjacent residential properties.

Many windows in the eastern elevation which is in close proximity to properties of Grove Road are currently obscured by way of a film over the glass to various degrees, and are proposed to be replaced with clear glass. The existing fire escape stairs to this elevation will be removed, which will improve to a certain extent the perception of overlooking as this could have been used by occupants of the building. Additional windows are proposed at first, second and third floor level. The overlooking at close proximity will increase by way of this application, and as such conditions are recommended to control the extent of the overlooking.

Design issues:

The new windows and doors in the elevations would have limited impacts on the overall appearance or design of the building. Whilst the building is higher than surrounding residential properties and visible in wider ranging views the addition of windows is not considered detrimental to the visual appearance of the building.

Impacts on trees:

There are no trees to be affected by the proposal on the site given the building fills the entire plot.

Impacts on highway network or access:

The principle of the change of use is agreed by the Prior Approval application, therefore the impacts of the change of use on the highway network are not considered as part of this application.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposals are to improve the accommodation for future occupiers, the principle of the change of use has already been established. The works are not necessarily required to facilitate that change of use but would provide better light and outlook for future occupiers. Following amendments the impacts on the amenity of residential properties surrounding is considered acceptable.

Recommendation: Grant planning permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. Obscure Glazing