

Officer Report On Planning Application: 17/00807/FUL

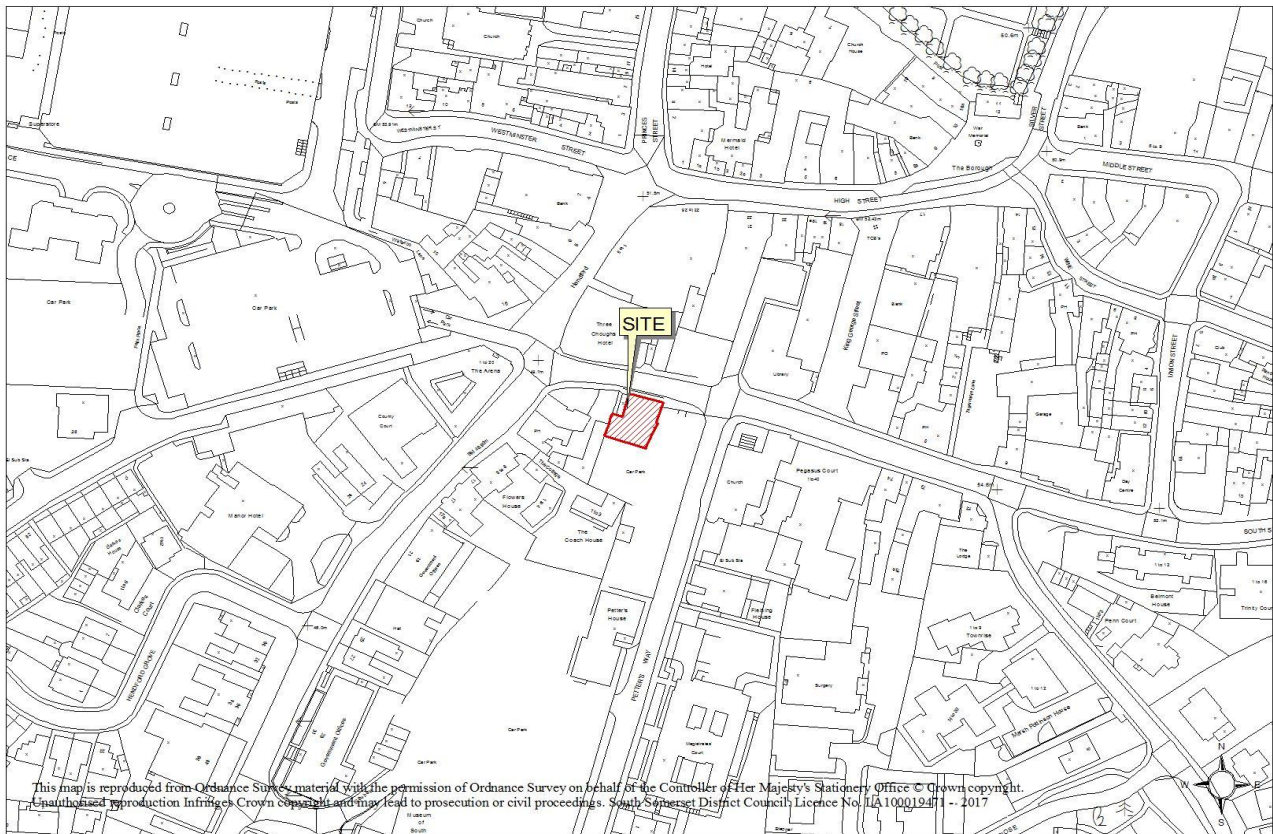
Proposal :	The conversion of second floor from bedrooms to a self contained flat and the installation of 3 No. rooflights (revised application)
Site Address:	80 South Street Yeovil Somerset
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Officer:	Andrew Collins – Planning Officer
Target date :	12th April 2017
Applicant :	Hatton Woods Properties Ltd
Agent: (no agent if blank)	James Ewart Fox 55 The Park Yeovil Somerset BA20 1DF
Application Type :	Minor Dwellings 1-9 site less than 1ha

Referral to Committee

This application is referred to the Area South Committee at the request of the Development Manager with the agreement of the Chair due to the Council's interest in the site as owner.

Site Description and Proposal





The site is located on South Street, adjacent to the public car park within the designated Conservation Area.

The property is a Grade II detached, two-storey building constructed of ashlar Ham stone with a Welsh slate roof.

The building was formerly operated as the Yeovil Arts Centre. However planning permission has been implemented to convert the ground and first floors into 4 self-contained flats.

Planning permission is sought to convert the top floor of the building into a self-contained 2 bed flat. Due to the restricted size of the staircase and ceiling height a new staircase is proposed and the historic ceiling is to be raised from 2m to 2.3m. As located in the roofspace there is restricted headroom in the space.

To the rear of the property 3 rooflights are proposed and these would be over the staircase, kitchen and be the only window in bedroom 2. The rooflight over the staircase would be a smoke vent rooflight.

The property is owned by the District Council but has been leased to a third party to manage the site. There are currently no car parking spaces and none are provided.

HISTORY

Lengthy planning history over time, but of relevance to this application;

17/00810/LBC - Internal and external alterations and the conversion of second floor from bedrooms to a self contained flat and the installation of a conservation roof light (revised application) - Pending consideration

16/03668/FUL - The conversion of second floor from bedrooms to a self contained flat and the installation of a conservation roof light - Application withdrawn - 23/01/17

16/03669/LBC - Internal and external alterations and the conversion of second floor from bedrooms to a self contained flat and the installation of a conservation roof light - Application withdrawn - 23/01/17

16/02170/S73A - Application to vary planning condition 2 (approved plans) of approval 15/04794/R3D to alter the internal layout of flat 2 and change of roof covering of rear lean-to - Application permitted with conditions - 29/06/16

16/01622/NMA - Non material amendment to planning approval 15/04794/R3D to alter internal layout of flat 2 and change roof covering at rear - Application Refused - 09/05/16

16/01613/R13 - The carrying out of internal and external alterations including change of roof materials at rear and removal of render to gable end - Application permitted with conditions - 31/05/16

15//04794/R3D - Alterations and conversion to form 4 flats - Application permitted with conditions - 29/01/16

15/04795/R13 - Alterations and conversion to form 4 flats - Application permitted with conditions - 29/01/16

14/01287/R3D - The carrying out of alterations to form a gallery/cafe/offices on the ground floor, formation of 2 No. bedsits on the first floor and creation of a dormer extension and conversion of roof space to create 2 No. bedsits - Application permitted with conditions - 27/06/14

14/01288/R13 - The carrying out of alterations to form a gallery/cafe/offices on the ground floor, formation of 2 No. bedsits on the first floor and creation of a dormer extension and conversion of roof space to create 2 No. bedsits - Application permitted with conditions - 22/07/14

05/01813/R13 - The demolition of outbuilding at rear of property - Application permitted with conditions - 21/02/2006

93/02628/FUL - THE DEMOLITION OF VARIOUS WALLS & OUTBUILDINGS, THE CARRYING OUT OF ALTERATIONS AND REPAIRS TO FORM NEW KITCHEN AND CONSERVATORY AND CONSTRUCTION OF A PATIO AREA - Application permitted with conditions - 02/12/1993

93/02625/FUL - THE CARRYING OUT OF ALTERATIONS, INCLUDING REPAIRS TO OUTBUILDING TO FORM CRAFT WORKSHOP AND ERECTION OF EXTENSION TO FORM KITCHEN - Application permitted with conditions - 27/10/1993

93/02622/FUL - ALTERATIONS, ERECTION OF A CONSERVATORY AND FORMATION OF A PEDESTRIAN ACCESS OFF OF THE MARKET - Application permitted with conditions - 15/04/1993

872724 - The carrying out of alterations and the erection of an extension to premises - Conditionally approved - 11/12/87

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development
SS1 - Settlement Strategy
YV1 - Urban Framework and Greenfield Housing fro Yeovil
HG4 - Provision of Affordable Housing - Sites of 1-5 Dwellings
TA3 - Sustainable Travel at Chard and Yeovil
TA6 - Parking Standards
EQ2 - General Development
EQ3 - Historic Environment

National Planning Policy Framework

Chapter 1 - Building a Strong Competitive Economy
Chapter 2 - Ensuring the Vitality of Town Centres
Chapter 4 - Promoting Sustainable Transport
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 12 - Conserving and Enhancing Historic Environment

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Other Relevant Considerations
Somerset Parking Strategy

CONSULTATIONS

YEOVIL TOWN COUNCIL - Recommend approval.

SOMERSET COUNTY HIGHWAYS - Standing advice applies

SSDC HIGHWAYS CONSULTANT - *"The conversion of bedrooms to a self-contained flat is unlikely to lead to a significant increase in traffic generation but given the town centre location of this site and the close proximity of public car parks, no highway objection is raised. It would be beneficial if sheltered and secure cycle parking could be secured for the proposed flat."*

ENVIRONMENTAL PROTECTION OFFICER - Has no comments

COUNTY ARCHAEOLOGIST - Limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

CONSERVATION OFFICER - In the concurrent listed building application comments;

"This application has been submitted contrary to clear advice given in my two previous memos (relating to 16/03669/LBC). Through the course of the previous application the scheme was simplified to limit the number of alterations to which I needed to object. The previous amended scheme still proposed the complete replacement of the stair however, which was met with strong conservation criticism from me and Historic England. This revised application proposes a more intense arrangement

of accommodation at attic level, which includes raising the height of the ceiling, inserting rooflights and still includes the full replacement of the stair.

In terms of the principle of using the attic in this way I have raised concerns previously about the intensity of such a proposal, given that so much has already been squeezed out of the building. It was seen as positive that the attic did not form part of the initial scheme, especially as a previously consented dormer window was no longer needed. Although significant intervention was accepted on the two principle floors the attic floor and roofs of the building were to be left unaltered. The attic space has seen little alteration, and is a heavily constrained space. Although clearly used for domestic accommodation historically it has only had a storage function for the last few decades, most likely due to the very limited head height above the stair and low ceiling level within the room.

As before the Design & Access Statement is poor. It cannot be considered to demonstrate the required understanding of the significance of the building. Basic justification for the alterations proposed has been submitted, but it cannot be considered to be 'clear and convincing' as required by the NPPF.

The existing stair is to be completely removed. No attempt has been made to understand its age or historic interest. As I have advised previously historic stairs are significant components of an historic building. They provide good datable fabric, they tell us about the historic plan form and layout of the building, and are often of aesthetic value. Without any contrary evidence I suggest that it is most likely to be the original stair to the property, providing basic access to the attic floor, which was most likely used for staff accommodation. The full removal of the stair must be considered harmful to the significance of the building. This view is supported by the comments received by Historic England. The introduction of a replacement modern stair will harm our understanding of the building and the hierarchy of the different floors.

In addition to this the proposal before us includes the removal of the lathe and plaster ceiling. Again, without any evidence to the contrary this ceiling appears to be original to the building. The current ceiling defines a space of modest character, enhanced by its undulating appearance. The replacement ceiling will have a modern flat appearance and will give a very different aesthetic to the current space. So, this element of the scheme will result in the loss of historic fabric; it will harm the appearance of these modest spaces and will harm our understanding of the modest status of this attic floor.

The application also includes the installation of three rooflights. The exterior of the building is prominent and easily viewed on both sides from public areas. The current roof is unbroken and of aesthetic value. I am of the view that this will cause harm to the appearance of the building. I note that the middle rooflight will be a smoke vent, which will most likely look different than the other two - although no details have been provided.

I still maintain the view that the conversion of this upper floor does not constitute the 'optimum viable use' of the building due to the considerable level of harmful intervention necessary. The NPPF states that this harm must be weighed against the public benefit of the scheme, which I suggest is low given the very small size of the single residential unit that will be formed. I must therefore strongly urge you to refuse the application."

BUILDING CONTROL - "Looking at the plans and layout details.

- 1) *I am still concerned about the 2.000m headroom to the stairs and I can't really treat the proposal as a loft conversion so the stairs require to have a 2.000m headroom above their full width as they will be serving a flat or flats and I fail to see how this could be achieved.*
- 2) *There will need to be an opening smoke vent at the head of the stairs with a free area of 1.000m² direct to outside.*
- 3) *The separating floor will need to incorporate sound insulation quilt and the floor sound tested*

on completion as normal.

4) We would have to consult the Fire Service on the proposal once an application has been submitted.

Based on the above the critical problem is the headroom to the stairs so I would not be in a position to recommend approval."

REPRESENTATIONS

Site notice posted on site. No comments received.

CONSIDERATIONS

Principle

The site is located within the Urban Framework for Yeovil as detailed in Policy YV1. Therefore the principle is accepted suggested to other considerations.

Impact upon the Conservation Area / Visual Amenity

As the site is within the Conservation Area there is a requirement to either preserve or enhance the character or appearance of the Area. On the Southern elevation it is proposed to install 3 rooflight with one of them being a smoke vent. It is confirmed from Building Control that conservation smoke vent rooflights are not manufactured. They are thicker as open automatically when an alarm goes off or a switch broken. Therefore as such will have a different appearance and the conservation officer indicates that this could cause harm to the appearance of the listed building in the conservation area. Whilst acknowledging that previously a dormer has been granted this was not ideal and considered in the whole with the benefits of the scheme.

The Conservation Officer considers that the proposal for unequal rooflights would cause significant harm to the character of the building and the area.

As such the proposal fails to comply with Policy EQ3 of the South Somerset Local Plan or the aims and objectives of the NPPF.

Impact upon Residential Amenity

The proposed 2 bed flat is very small at 66m² (710 sq ft). This size is further compounded by the restricted ceiling height. This application seeks to increase the existing roof height from 2m to 2.2m. Even so, due to being within the roof space the area with a minimum height of 1.8m is only 41m² (441 sq ft). Also as a 2 bed flat this type of accommodation is likely to be more attractive to families. In considering all the above the proposal results in a cramped form of overdevelopment of this historic building. This development results in a poor living accommodation of future residents and fails to create a quality place. The lack of any private external amenity space further compounds the poor living environment. As such the proposal is contrary to Policy EQ2 of the adopted South Somerset Local Plan.

Car Parking

The proposals will provide 1no 2 bed flat in the property. No car parking spaces are proposed for the site. However the site is located in the town centre with a lot of shops, services and facilities. In addition, the site is next to the town's Council car parks.

The Somerset Parking Strategy states that in Yeovil 2 bed units should have 1 car parking space

'unless specific local circumstances can justify deviating from them.' It continues by stating that, "Development in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision." This location is precisely the location where this applies. On this basis the proposal complies with Policy TA6 of the South Somerset Local Plan.

Other Issues

This revised application is submitted in an attempt to address Building Regulations. An existing historic staircase currently gains access to the 2nd floor where historically it is considered would have served ancillary accommodation and more recently as storage. There is a requirement for a separate dwelling to have a head height of 2m across the whole width of the stairs. The submitted cross section shows that this cannot be achieved. Therefore even if the application was minded for approval, this application fails to meet the building control requirements.

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district. In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less. It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore the Local Planning Authority are not seeking an affordable housing obligation from this development.

It is also noted that the Council is introducing a CIL Rate of £40 per square metre on 3 April 2017. The submitted plans show a floor area of 66m². Therefore at £40 per m² a CIL requirement of £2640 would be required.

Despite planning considerations, it has been confirmed that the proposals fail to meet the building regulations.

RECOMMENDATION

Refuse permission

SUBJECT TO THE FOLLOWING:

01. The proposal by reason of the size of the two bed flat and useable headroom will result in a poor, cramped form of over development to the detriment of future occupiers. As such the proposal is contrary to Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF, especially paragraph 61.
02. The proposal by reason of the insertion of 3 rooflights, of which 1 is a smoke vent rooflight of larger depth will result in a prominent, unbalanced visual impact upon an unbroken roof of aesthetic value will result in harm to the appearance of the Grade II listed building and fail to preserve or enhance the character or appearance of the designated Conservation Area. As such the proposal is contrary to Policy EQ3 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF.

Informatives:

01. You are reminded of the comments of the Building Control Officer in their comments of 20 March 2017 in that the proposed new staircase fails to meet their legislation.