

ITEM NO. 3 **COMMITTEE DATE:** 06/09/2010

APPLICATION NO: 10/1020/03 **FULL PLANNING PERMISSION**
APPLICANT: Mr J Jenner
PROPOSAL: Change of use from nursing home to house in multiple occupation, roof lights on south (1) and north (2) elevations and lay-by on east boundary
LOCATION: Pinbrook House, Cheynegate Lane, Exeter, EX4 9HZ
REGISTRATION DATE: 21/06/2010
EXPIRY DATE: 16/08/2010

ITEM NO. 3 **COMMITTEE DATE:** 06/09/2010

APPLICATION NO: 10/1021/07 **LISTED BUILDING CONSENT**
APPLICANT: Mr J Jenner
PROPOSAL: Demolition of cold store on north elevation, rooflights on south (1) and north (2) elevations and creation of shower room on second floor.
LOCATION: Pinbrook House, Cheynegate Lane, Exeter, EX4 9HZ
REGISTRATION DATE: 21/06/2010
EXPIRY DATE: 16/08/2010



Scale 1:1250

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HISTORY OF SITE

99/00453/03 -	Rear extension to house lift shaft. (Renewal of unimplemented permission 93/0529/03).	05/07/1999
99/00454/07 -	Rear extension (Renewal of unimplemented permission 93/0530/07).	30/07/1999
01/0198/03 -	Installation of boundary fence in rear garden	WRT 26/03/2001
01/00199/07 -	External alterations to provide fence in rear garden	WRT 26/03/2001

01/0677/03 -	Installation of fence to boundary in rear garden area	PER	12/07/2001
01/0684/07 -	External alterations to provide a fence	PER	12/07/2001
06/2649/03 -	Ground floor extension on north elevation	PER	19/04/2007
06/2650/07 -	External alterations to provide ground floor extension on north elevation	PER	18/04/2007
10/1020/03 -	Change of use from nursing home to house in multiple occupation, roof lights on south (1) and north (2) elevations and lay-by on east boundary	PER	
10/1021/07 -	Demolition of cold store on north elevation, rooflights on south (1) and north (2) elevations and creation of shower room on second floor.		
ENF/06/00047 -	Extension on north elevation	SJ	11/01/2008

DESCRIPTION OF SITE/PROPOSAL

The property is a Grade II* Listed Building. It does not fall within a designated conservation area. The property was most recently used as a care home comprising a total of 19 bedrooms. However, for approximately the last eighteen months the building has stood empty and has suffered from some minor vandalism.

It is proposed to convert the building, which is in C2 Use Class, to a House in Multiple Occupation. The proposed use will consist of 12 bedrooms with the addition of a manager's flat within the existing attic. To facilitate the change of use some alterations are sought, namely the demolition of an existing cold store and minor reconfiguration of a number of existing rooms. Both planning permission and listed building consent are sought.

The applicant has indicated that the University, specifically INTO, have expressed an interest in using the facility for an initial 12 months.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied with a Design and Access Statement and a Heritage Statement. The applicant highlights the following points.

Layout; The layout internally will remain unchanged, with the exception of a change in room functions, from bedroom to reading/quiet study rooms, of two rooms on the first floor and one room on the second floor. Minor ancillary space use revisions on the ground floor are proposed with an external lean-to timber clad store on the north elevation proposed for removal. A revised layout to the rear of the building is proposed, with additional landscaping to establish a better setting of the building when viewed from the back.

Scale; The overall scale of the property remains the same as existing, it is clearly the dominant building in this area and the intention of the plan is to reinforce this by extending the visual curtilage at the rear and by removing the timber lean-to extension.

Landscape; Hard and soft landscape revisions to the rear garden of the house. These revisions are required to regularise the ownership boundary, which is to be demarcated by extending the soft-landscape turf out to a kerb stone edge on the ownership boundary within the car parking apron at the rear of the house. Within the curtilage it is proposed to delete the ambulance hardstanding at the centre rear of the house to unify and soften the landscape surfaces adjacent the house and site one drop off parking space adjacent the side vehicular access. The intimate garden areas at the sides and in front of the house will remain the same as existing. The proposed demolition and increase in physically demarcated curtilage at the rear will allow additional landscaping to improve the setting.

Appearance; The existing overall appearance is to be retained exactly as existing from the front and side. The north side will be improved by selective demolition of the timber lean-to

cold store extension. The exposed original brick wall behind is repaired to match the existing. General conservation repairs are proposed by way of maintenance to the external envelope throughout the building. The garden setting appearance shall be retained as existing and the perimeter walling and boundary treatment shall also be retained to the main frontage and roadside aspects of the house. In all other respects the external envelope will remain the same as existing, with the necessary repairs and maintenance made to the fabric of the envelope.

Access; Strong local public transport networks exist throughout the area, linking Pinhoe with Heavitree and the centre of Exeter generally. Cheynegate Lane has a bus service running along its length every 30 minutes. In addition, pedestrian and cycle routes exist throughout the vicinity. Rights of way and footpath access remains unchanged around and beyond the site. It is proposed to designate the double garage at the north east corner of the site as a bicycle store.

Environmental Strategy; The proposed sustainable re-use of this existing empty Grade II* listed building, as opposed to demolition and rebuilding is the most obvious and significant environmental strategy, maintaining historic interest in the built environment.

REPRESENTATIONS

In total seven letters of objection have been received in relation to the planning application and four letters of objection have been received in relation to the listed building consent application. Three objectors have submitted representations on both applications.

Principal planning issues raised include:-

1. Out of character with regard to tenure type.
2. Increased noise from future occupiers.
3. Anti-social behaviour.
4. Highway congestion and on-street parking problems.
5. Loss of privacy.
6. Detrimental impact on the character and appearance of a Grade II* Listed Building.
7. Will hinder future development opportunities in the area.
8. Inadequate public transport.

CONSULTATIONS

Environmental Health raise no objection.

The Executive Director of Environment, Economy and Culture seeks a financial contribution towards a new traffic order and two additional conditions relating to cycle storage and a Green Travel Plan.

The Environment Agency provide no comments.

English Heritage highlight concerns with regard to the use but raise no objection. English Heritage wanted assurance that other uses including office space for example had been investigated.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPS1 - Delivering Sustainable Development

PPS5 - Planning for the Historic Environment

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

C2 - Listed Buildings

DG1 - Objectives of Urban Design
H1 - Search Sequence
H2 - Location Priorities
H5 - Diversity of Housing
E3 - Retention of Employment Land or Premises

OBSERVATIONS

There are a number of issues that need to be examined carefully with regard to this application. The first issue that needs to be taken into consideration relates to the impact of the proposal on the character of the area. As already described in this report the property subject to this application was formerly used as a nursing home. Whilst the level of activity associated with the property will increase by virtue of more frequent comings and goings such an increase in activity is not seen as detrimental. Consequently it is not anticipated that the proposed development will detract from the existing character of the area.

The second issue relates to the impact of the proposal on the appearance of the host building. By and large the existing appearance of the building will be protected. At the rear a small timber-built cold store is proposed to be removed. However, this structure is a more recent addition and its removal is not considered an issue. When the application was first submitted a number of rooflights were proposed as well as a number of on-street car parking spaces. Both aspects were considered unacceptable, and following a series of discussions with the applicant have been omitted. This action is welcomed as it helps protect the integrity of an important heritage asset.

A third issue that needs to be looked at carefully relates to the loss of employment premises. Policy E3 of the Exeter Local Plan states the loss of employment land or premises will not be permitted where it would harm business or opportunities in the area. Given the siting of the host building, the loss of this particular employment premises will not have a detrimental impact on the locale. This view is further justified by the length of time the building has stood empty whilst an alternative use/owner was sought.

A fourth aspect concerns itself with the conversion and the appropriateness of this site. The Local Planning Authority seek to ensure varied property types are available throughout the city providing that areas of over concentration are avoided. The Local Planning Authority have identified three areas throughout the city where an over concentration of one property type has already occurred. The area in which this property is located does not fall within any of these three areas. Consequently the conversion to a House in Multiple Occupancy will ensure a balanced mix of property types is provided in this particular part of the city. Policy H5 of the Exeter Local Plan not only seeks to ensure a balanced market but also seeks to ensure existing amenity levels are protected. By reason of the orientation of the host building, its size and spatial relationship with adjacent properties the proposal will not in officer opinion result in a reduction of amenity levels.

A fifth point that has been discussed at length relates to highway implications. The Highway Engineer at Devon County Council does not view the proposed development as unacceptable. The applicant has incorporated secure cycle storage into the scheme which is welcomed. Similarly, a Green Travel Plan has been agreed with the Highway Engineer which sets out the applicants intention to reduce the future residents use of private motor vehicles. Both of the abovementioned points lead the Local Planning Authority to conclude that the proposed development will not jeopardise highway safety.

Finally consideration needs to be given to the impact of the proposed development on an important Grade II* Listed Building. As already identified the property is presently unoccupied. However it was most recently used as a nursing home. A number of partition walls have been inserted to the first and second floor which have subdivided the original rooms, partly removing the original three room plan of each floor. However, the original decorative plaster work remains and the original floor plan remains readable. Removal of the

outbuilding is welcomed as this was built quite recently without formal consent. The rooflights which were originally proposed have now been omitted from the proposal. The building is Grade II* and as such guidance contained in the PPS5 Practice Guide, notes that the insertion of new elements such as rooflights are quite likely to adversely affect the building's significance. Omitting the rooflights is therefore welcomed.

In officer opinion the proposed change of use is appropriate for a property of this nature in this location. Whilst an increase in activity is inevitable it is not felt that the proposal will result in a loss of residential amenity or have a detrimental impact on the character and/or appearance of the host building.

A legal agreement will be required to secure the financial contribution sought by the County Director of Environment, Economy and Culture.

NORTHERN AREA WORKING PARTY

Members supported officer recommendation to approve the application (16/08/2010). However following the meeting it was agreed that both applications should be presented at full committee because the host building is a Grade II* Listed Building and letters of representation had been received.

RECOMMENDATION

Subject to completion of a Section 106 legal agreement to secure a financial contribution towards a new traffic order, the Head of Planning and Building Control be delegated to approve applications 10/1020/03 and 10/1021/07 subject to the conditions set out below.

In the event that the Section 106 agreement is not completed within 6 months of the date of the resolution to approve, authority be delegated to the Head of Planning and Building Control to refuse permission for the reason that inadequate provision has been made for the matters that were intended to be dealt with in the Section 106 agreement.

1. Approve application 10/1020/03 subject to the following conditions.

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 21 June 2010 and 1 July 2010 (*dwg. no(s). A1, A2, A3, A4, A5, A6, A7 and A8*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 4) No part of the development hereby approved shall be occupied until secure cycle parking facilities have been provided in accordance with the requirements of this

permission and retained for that purpose at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 5) No part of the development hereby approved shall be occupied until the strategy and proposed measures to be introduced under the terms of the Travel Plan have been implemented in accordance with the requirements of this permission and shall be monitored at all times and updated annually.

Reason: To reduce the volume and impact of traffic attracted to the site.

- 6) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 7) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 8) The third floor owners/managers flat hereby approved shall be used solely for this purpose in perpetuity.

Reason: To ensure the accommodation is appropriately managed for the benefit of adjacent residential units.

2. Approve application 10/1021/07 subject to the following conditions.

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2) The works to the listed building shall be carried out in strict accordance with drawings numbered A1, A2, A3, A4, A5, A6, A7 and A8. No works other than those explicitly shown or referred to on the drawings are hereby granted consent.

Reason: To protect and preserve the character of the listed building.

- 3) No external brickwork shall be re-pointed until a sample area has been prepared on site to show the proposed mortar composition and colour, and method of pointing, and has been approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To protect and preserve the character of the listed building.

- 4) No new or replacement rainwater goods, soil pipes, vents, flues or extractors shall be installed until their full details have been submitted to and approved in writing by

the local planning authority.

Reason: To protect and preserve the character of the listed building.

- 5) Prior to the commencement of any repair works a full schedule of repair works and method statement shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: To protect and preserve the character of the listed building.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223