

ITEM NO. 9

COMMITTEE DATE: 23/07/2012

APPLICATION NO: 12/0922/03 FULL PLANNING PERMISSION
APPLICANT: ELITE SPV1
PROPOSAL: Alterations to provide three separate apartments
LOCATION: 15 Regents Park, Exeter, EX1 2NT
REGISTRATION DATE: 25/06/2012
EXPIRY DATE: 20/08/2012

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COMMITTEE DATE: 23/07/2012

APPLICATION NO: 12/0923/07 LISTED BUILDING CONSENT
APPLICANT: ELITE SPV1
PROPOSAL: Alterations to provide three separate apartments
LOCATION: 15 Regents Park, Exeter, EX1 2NT
REGISTRATION DATE: 25/06/2012
EXPIRY DATE: 20/08/2012



Scale 1:1250

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DESCRIPTION OF SITE/PROPOSAL

The application relates to Grade II Listed Building located within the Mont le Grand Conservation Area. The dwelling was built around 1830-1840, and is a three storey mid-terraced house. The property is recognised as making a positive contribution to the area, and sits directly north of a positive space as noted within the Mont Le Grand Conservation Area Appraisal and Management Plan.

Earlier in 2012, a certificate of lawfulness of existing use for three flats was submitted by the same applicant (Ref: 12/0459017). Unfortunately due to a number of anomalies with the floor plan, coupled with a break in use following the death of the previous owner, the Local Planning Authority were legally advised not to issue the certificate. Following a period of extended dialogue, the applicant agreed to withdraw the aforementioned application and

instead submit a planning application and a listed building consent application to convert the property into three self-contained apartments. This report relates to these applications.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied with; Historic Record Information Sheet, Photographs, Policy Analysis, Design Access & Heritage Statement, and an Environment Agency Flood Map.

REPRESENTATIONS

At the time of writing no representations have been received.

CONSULTATIONS

The Head of Planning, Transport and Environment, on behalf of Devon County Council, raise on objection to the proposal. Two conditions have been requested relating to the provision of vehicular parking and cycle storage.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework
Exeter Local Development Framework Core Strategy
CP17 - Design and Local Distinctiveness
CP4 - Density
Devon County Structure Plan 2001-2016
CO6 - Quality of New Development
CO7 - Historic Settlements and Buildings
Exeter Local Plan First Review 1995-2011
C1 - Conservation Areas
C2 - Listed Buildings
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
H1 - Search Sequence
H2 - Location Priorities
Exeter City Council Supplementary Planning Document
Residential Design Guide (adopted September 2010)

OBSERVATIONS

As part of the previously withdrawn application a number of supporting documents were submitted, highlighting the fact the property has been used as three apartments for a number of years. Firstly, a sworn statement was provided which notes tenancy agreements were first prepared in the 1960's and that rents have been collected ever since initially by Campion Symons and Co but more recently by Gilbert Stephens LLP. The Local Planning Authority are also in receipt of a letter from Exeter City Council's Treasury Services confirming that council tax has been paid for three apartments since April 1993, an e-mail from EDF Energy confirming that three meters were installed in 2004 and 2005, an e-mail from South West Water confirming that it has been supplying water to the apartments since November 1999, and an estimate for building works from 1995. Given the volume of evidence presented and the weight that can be attached to it the Local Planning Authority are satisfied the property has been used as three apartments for an extended period of time although the exact layout remains unknown, hence the difficulty in granting a Certificate of Lawfulness.

The scheme presented to the Council includes a small number of internal alterations. However, the original style, character and proportions largely remain unaltered. All three apartments exceed the minimum space standards carried throughout the Local Planning Authorities adopted SPD 'Residential Design'. The Local Planning Authority are satisfied the

three apartments will offer a high level of residential amenity which will enable all future residents to feel at ease within their own property.

With regard to the impact of the proposal on the amenity of neighbours the Local Planning Authority are satisfied the proposed apartments will not be detrimental. The intensity of use will not alter from the existing activity associated with the building. Further it is clear that care has been given to the internal layout with primary living spaces being located away from the sole party wall. Such a layout will ensure the transfer of noise will be kept to a minimum which is welcomed. No extensions are proposed ensuring the level of light enjoyed by neighbours will not be reduced, and there will be no impact on outlook. The proposal includes some cleaning of the external facade which will help rejuvenate a building that has become somewhat tired in appearance. In terms of the impact on the Listed Building, externally this would be minimal and internally the historic character would be enhanced.

It is anticipated that a number of objections will be received on highway safety grounds, in particular the lack of parking. The applicant has confirmed the property benefits from 4 spaces formed between existing garages to the rear and unrestricted on-street parking at the front. Confirmation has been sought from the applicant and will be presented to Members at committee as well as the formal response from DCC Highways.

SOUTHERN AREA WORKING PARTY

Members were advised the application was likely to be considered acceptable by officers. However, in view of previous objections to the withdrawn Certificate of Lawfulness application and anticipated level of representations it would be presented at Planning Committee.

RECOMMENDATION

Subject to no significant new issues being raised post committee

APPROVE application 12/0922/03 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 25 June 2012 (*dwg. no(s). D020/12/211 and Schedule of Alterations*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The external finishes of the development hereby permitted, including all repairs, shall match those of the existing building in material, colour, style, bonding and texture.
Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity.
- 4) A scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority prior to the approved units being occupied. The soundproofing shall be carried out in accordance with the approved scheme before brought into use.
Reason: To prevent unreasonable noise and disturbance to neighbouring occupants in the interests of residential amenity.

- 5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, and the cycle parking shall be maintained thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 6) No part of the development hereby approved shall be occupied until the garage parking facilities has been allocated 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.

APPROVE application 12/0923/07 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 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 25 June 2012 (*dwg. no(s). D020/12/211 and Schedule of Alterations*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The external finishes of the development hereby permitted, including all repairs, shall match those of the existing building in material, colour, style, bonding and texture.
Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity.
- 4) Notwithstanding condition No.1 no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details: Bridge and Balustrade.
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

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