

**ITEM NO. 6****COMMITTEE DATE:****4 JANUARY 2016**

**APPLICATION NO:** 15/0650/07  
**REGISTRATION DATE:** 10/06/2015  
**EXPIRY DATE:** 05/08/2015

LISTED BUILDING CONSENT

**APPLICATION NO:** 15/1018/03  
**REGISTRATION DATE:** 21/09/2015  
**EXPIRY DATE:** 05/01/2016

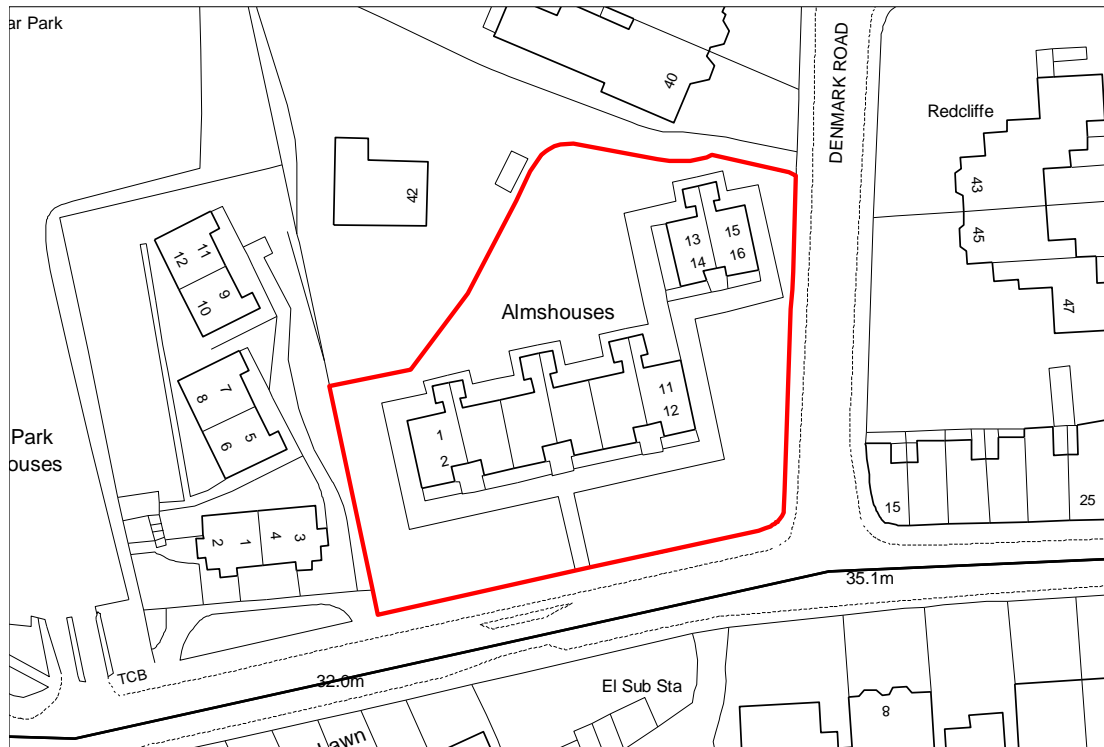
FULL PLANNING PERMISSION

**APPLICANT:**  
**PROPOSAL:**

The Exeter Municipal Charity  
 Internal alterations associated with the conversion of 8 units into 5 units.

**LOCATION:**

1-16 Magdalen Cottages, Magdalen Road, Exeter, EX2 4SX



Scale 1:1000

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**HISTORY OF SITE**

04/1250/07 -	External alterations	PER	10/09/2004
04/2175/07 -	External alterations	PER	08/02/2005
13/2792/03 -	Two almshouses in rear garden	REF	26/04/2013
13/2793/07 -	Two almshouses in rear garden	REF	26/04/2013
13/2800/03 -	Rebuilding of rear extensions	PER	16/05/2013
13/2801/07 -	Demolition and rebuilding of rear extensions and internal alterations	PER	16/05/2013
15/0638/32 -	Discharge of Condition No. 3, 4, 5, 6, 8 & 9 to planning consents 13/2800/03 & 13/2801/07	PER	16/05/2013
15/1018/03 -	Change of use from 8 single bedroom almshouses to 5 two bedroom almshouses (departure from Local development Plan)		current

## **15/0650/07 (LISTED BUILDING CONSENT)**

### **DESCRIPTION OF SITE/PROPOSAL**

Two storey block of Victorian almshouses in Gothic Revival style. Proposal is for internal alterations to change from 8 no. one bedroom units to 5 no. two bedroom units.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

Heritage Statement.

Copy of 19th century architectural plans and drawings.

### **REPRESENTATIONS**

Seven letters of representation, all opposed to the development, the main reasons being:

- questioning the need to change from one bedroom to two bedroom apartments
- breaking up existing community as a result of decanting existing residents
- the reason given by the applicants of creating extra room/space for carers does not make sense on first floor apartments which do not have a lift so are therefore not suitable for wheel-chairs and mobility impaired residents.

### **CONSULTATIONS**

Environmental Health ECC: Requested hours of work condition.

### **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance:

NPPF

Planning (Listed Buildings and Conservation Areas) Act 1990

Exeter Local Development Framework Core Strategy:

CP17 - Design and local distinctiveness

Exeter Local Plan First Review 1995-2011:

C1 - Conservation areas

C2 - Listed buildings

St. Leonard's Conservation Area Appraisal 2008

Exeter City Council Development Delivery DPD

### **OBSERVATIONS**

Listings:

IoE Number: 417365

MAGDALEN ROAD 1. 1092 (North Side) Magdalen Almshouses [Nos 1 to 12 (consec)] SX 9292 SE 7/1022 II GV 2. Dated 1863 on the rainwater heads. Heavitree stone. Two storeys, three-light casement windows below, two above in large boarded gables. Gabled porches. Slate roof with clustered chimneys. Magdalen Almshouses (Nos 1 to 16 (consec)) and wall form a group.

IoE Number: 417367

MAGDALEN ROAD 1. 1092 (North Side) Magdalen Almshouses [Nos 13 to 16 (consec)] SX 9292 SE 7/1023 II GV 2. Dated 1863 on rainwater head. Heavitree stone. Two storeys, with two and three light casement windows. Gabled porch. Bargeboarded gable with slate roof and chimney cluster. Fronting Denmark Road. Magdalen Almshouses (Nos 1 to 16 (consec)) and wall form a group.

The proposed alterations to convert the almshouses from one-bedroom to two-bedroom apartments would involve some internal remodelling and changing the general arrangements of the existing apartments. The application site is in two separated blocks, which are in a Victorian Gothic style and two-storeys high, the blocks were built circa 1863 to 1866, all proposed works are to the first floor apartments. To facilitate the change from one bedroom to two bedroom on the main block the proposed works would include blocking off the two end staircases however these would be merely covered over with the original fabric retained, newel posts left exposed and, overall the process could be reversed. The major works would involve removal of partition walls, creating an additional doorway and creating a new floor above the redundant staircases. Through negotiation it has been agreed to retain original features such as corner cupboards. As the works would largely retain original fabric and include minor works which are at least partially reversible the proposal is acceptable. The proposed works that are the subject of this listed building application do not include any alterations to the external fabric so would not impact on the St Leonard's Conservation Area.

### **RECOMMENDATION (15/0650/07 LISTED BUILDING CONSENT)**

**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 development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21 September 2015 (*dwg. nos. 12271-20, 12271-14 B, 12271-22, 12271-LOC, 12271-BLOCK, 12767.500*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
3. All surviving historic joinery and fixtures, including doors, door surrounds, stairs and balustrades, skirting boards and picture rails, and fitted corner cupboards, shall be retained in situ, unless otherwise agreed in writing with the Local Planning Authority.  
**Reason:** To protect and preserve the character of the listed building.

### **15/1018/03 (PLANNING APPLICATION)**

#### **DESCRIPTION OF SITE/PROPOSAL**

Block of two storey Victorian almshouses and surrounding amenity space. proposal is for internal alterations and net reduction number of dwelling units from 8 one-bedroom apartments to 5 two-bedroom apartments.

#### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

Justification statement.

#### **REPRESENTATIONS**

Seven letters of representation have been received, mainly from existing residents of the almshouses, objections are concerned with the reason behind the proposed works, that there is no need to convert one-bedroom into two bedroom flats, that if this is required due to the age and infirmity of residents it does not make sense to do this on first floor as there is no lift, that decanting existing residents would break up the community; and that funds should be directed towards building new dwellings rather than altering existing ones.

#### **CONSULTATIONS**

Devon County Council Highways: no objections.

Environmental Health ECC: requested condition restricting hours of construction.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance: NPPF

Exeter Local Plan First Review 1995-2011:

H4 Loss of Dwellings

C2 - Listed buildings

Exeter City Council Development Delivery DPD

DD10 Loss of Residential Accommodation

St Leonard's Conservation Area Appraisal 2008

## **OBSERVATIONS**

This application is for alterations to existing almshouses to convert them from 8 no. one-bedroom apartments to 5 no. two-bedroom apartments, it is running concurrently with a listed building application as the almshouses are grade II listed buildings and located in the St Leonard's Conservation Area. The listed building aspect to this application is acceptable and there would be no significant external alterations which would impact on the Conservation Area.

It has been advertised as a departure from the Local Development Plan as it is not in accordance with policy H4 'Loss of Dwellings' of the Local Plan Review, and policy DD10 of the DDDPD 'Loss of Residential Accommodation'. In substance both policies state that the LPA will not approve applications which involve the net loss of residential accommodation except where there is no realistic alternative, an example given being where the proposed new use would serve for the "retention and proper maintenance of a building... that would otherwise be lost". Whilst the current application site would not "otherwise be lost" the applicants, the Exeter Municipal Charity, have stated that the proposed development would:

- a) Improve the size of the remaining units, which are too small to meet current guidelines and thus give a longer life to the existing property. Without this, the prospect of voids increases, to the detriment of the financial viability of the Charity and the availability of useable dwellings within the City.
- b) Cannot be otherwise achieved because of the Listed Building restrictions on further extending the external envelope.
- c) Does not increase the external envelope of the building and therefore will have no impact on the local environment.

Policy H4 states that a net loss in residential accommodation would not be acceptable, however as this proposal would not lose accommodation in terms of built space, but would alter the internal arrangements it is acceptable and, it could be argued, is in conformity with policy H4.

Policy DD10 of the emerging DDDPD recognises that "there may be occasions where other material considerations warrant the loss of residential accommodation" and states that retention of accommodation and making full use of the existing stock" helps to identify sites for new housing development. Whilst this proposed development reduces the number it does, arguably, make full use of the existing stock and in fact will aid with the long-term retention of the building in residential use". Given that the long-term viability of the buildings is a material consideration and that although in numbers there would be a reduction in dwellings there would not be a reduction in the amount of space devoted to residential

usage. The proposed development represents an acceptable departure from the Local Development Plan.

It should also be noted that the applicants have provided assurances that all the existing residents would be re-housed within the extant housing stock managed by the charity.

### **MEMBER'S BRIEFING 24 NOVEMBER 2015**

Change of use from 8 single bedroom almshouses to 5 two bedroom almshouses (departure from Local Development Plan).

Planning Permission and Listed Building Consent was sought for the conversion of eight single bed units to five, two bed. Issues were to be resolved relating to objections from residents concerned over the intention to create these two bed properties. Three of the residents would need to be found alternative accommodation by the Trust. It was understood that the occupiers paid maintenance fees but not a full rent and that there was satisfaction with their one bedroom homes and this was the issue that need to be resolved by the Trust, who maintained that two bed properties would enable carers and family to stay over, as necessary. Seven objections had been submitted to the Council in respect of the application. The properties were for occupation by the over 55's.

Members supported the proposal for a site inspection.

### **MEMBER SITE VISIT - 15 DECEMBER 2015**

Present: Cllrs Bialyk and Lyons with Alex Lawrey (Planning Officer).

Members raised no objections.

### **RECOMMENDATION (15/1018/03 PLANNING APPLICATION)**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 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 21 September 2015 (*dwg. no.s. 12271-20, 12271-14 B, 12271-22, 12271-LOC, 12271-BLOCK, 12767.500*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building and as indicated on the approved plans and submitted details, unless otherwise agreed in writing with the Local Planning Authority.  
**Reason:** To protect the appearance and character of the area and to ensure the development conforms with advice contained within the Council's adopted Supplementary Planning Document "Householder's Guide to Extension Design".
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason:** In the interests of 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