

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 11th December 2018

Application 1

Application Number:	18/01640/FUL	Application Expiry Date:	30th August 2018
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Application Type: Full Application

Proposal Description: Change of use of remaining ground floor of Public House to 6 bedroom house in multiple occupation.

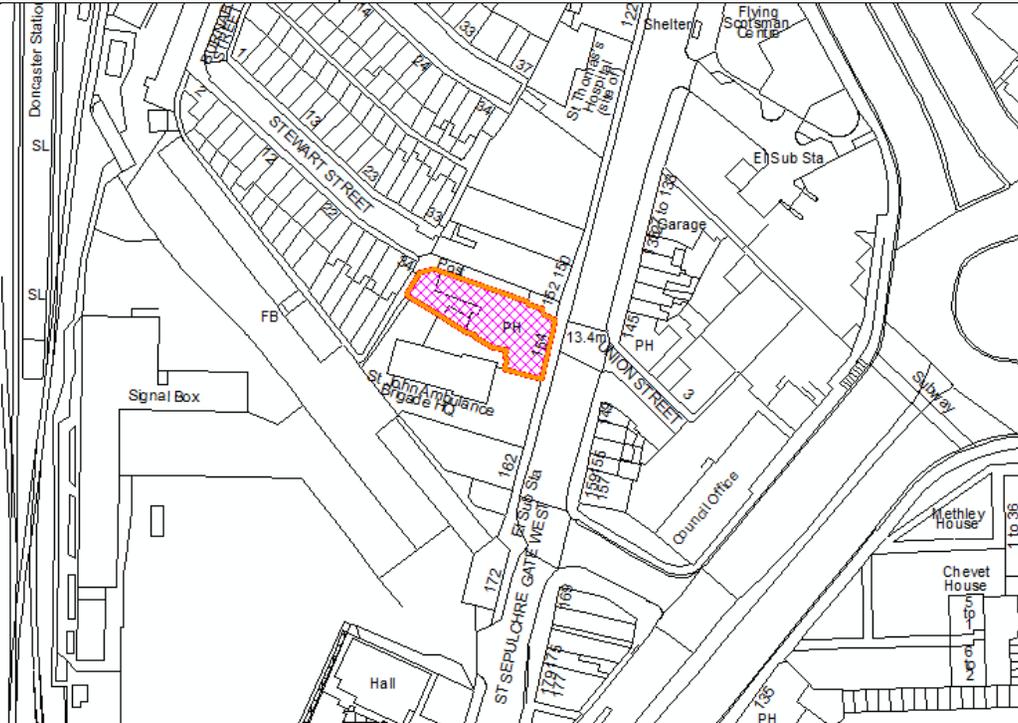
At: Horse And Jockey 154 St Sepulchre Gate West Doncaster DN1 3AQ

For: SKS Properties

Third Party Reps:	4	Parish:	
		Ward:	Town

Author of Report Elizabeth Maw

MAIN RECOMMENDATION: GRANT



1.0 Reason for Report

1.1 This application is being presented again to Members following its deferral from the Planning Committee meeting on 11th December 2018.

1.2 The application was deferred to allow a site visit to take place in order to assess the impact on neighbouring properties of overlooking from windows.

1.3 Members also raised a concern that the living room/kitchen had no ventilation and as such a deferral would give time to review this matter.

2.0 Proposal and Background

2.1 The application site is the former Horse and Jockey public house on St Sepulchre Gate West. The pub is no longer open and the ground floor is unused. The first floor has been changed into a house in multiple occupation after the granting of planning consent in 2016.

2.2 The proposal is to convert the remainder of the ground floor to a 6 bedroom house in multiple occupation.

2.3 Four observations have been received. Two letters object because of the issues that have allegedly occurred with occupiers of the first floor HMO and the proliferation of HMO's along the street. Two of the observations have focused their comments on the heritage of the building, rather than the change of use.

2.4 The internal accommodation consists of 6 bedrooms and a living room/kitchen. The bedroom windows are alongside the front, side and rear of the building. The living room/kitchen windows would be fixed panes of obscure glass. The living room/kitchen would therefore have light but no ventilation. Members have concerns this would not create a high quality living space. To overcome members concerns the applicant has been asked to consider either:

a) Omit bedroom 6 and encompass this area into the kitchen, then install patio doors into the rear elevation.

b) Submit a scheme showing how a mechanical ventilation system could be installed and how it would work to provide a high quality internal space. Building Control have confirmed a mechanical ventilation system could be permitted.

2.5 At the time of writing the report the applicant has not yet responded so a further update will be provided at the planning committee meeting.

3.0 Relevant Planning History

3.1 The planning history relevant to the consideration of the application includes:

16/01118/FUL: Change of use of part Public House to 13 person/13 bedroom house in multiple occupation and erection of first floor extension to rear. Granted as a delegated decision on 09.06.2016

4.0 Representations

4.1 The application has been publicised by site notice. A total of four representations have been received. Two letters object to the use of the ground floor as a HMO. Two observations relate to the heritage of the building. The observations are summarised below:

4.2 In the opinion of the objectors, the existing first floor HMO has been carried out to a very low standard, which has created issues for the adjacent office site. The left side of the public house forms a boundary with the adjacent office site. Pipework and sewage outlets have been fitted to the left side, which leak and overhang onto their office site. The occupiers of the first floor HMO also throw rubbish out of their windows onto the office site, which has caused an unsanitary condition and rat infestation. Therefore, the objectors have no confidence in the success of this application and have concerns it will add to existing problems. Other issues raised include:

4.2a) The intrusion onto their offices due to the close proximity of windows.

4.2b) The number of HMO's along St Sepulchre Gate is continuing to distort the character of the area.

4.2c) There is an enforcement notice served on the owner to improve the appearance of the property but they have limited confidence the owner will comply with the notice.

4.3 Observations regarding the heritage of the building are from a member of the national pub heritage group of CAMRA and the Doncaster Civic Trust. The two parties have provided some interesting history to the building. They advise the building was built as a purpose built public house and was in the 2011 publication of CAMRA's best surviving historic public houses in Yorkshire. The building itself is also the only survivor of three public houses built to designs by Doncaster architect Norman D Masters. It has a high design quality and was considered for listing. It is therefore regrettable that the building has not been able to sustain its use as a public house, but opposing the change would not make much sense and the shift should focus onto the heritage of the building. Both letters suggest that any external changes to the building, however minor are controlled by the Local Planning Authority.

5.0 Relevant Consultations

5.1 Environmental Health: No objections, subject to conditions.

5.2 Design and Conservation Officer: The building seems to be able to be converted without much impact on the historic fabric but there is to be some pipework and vents on the front elevation. This is not a welcomed change, however the owner has agreed to keep these changes discreet and make some other improvements to compensate for the harm. Therefore, there are no objections to the scheme subject to conditions.

6.0 Relevant Policy and Strategic Context

Planning policy relevant to the consideration of this application includes:

National Planning Policy Framework

Section 6: Delivering a wide choice of high quality homes
Section 12: Conserving and Enhancing the Historic Environment

Doncaster Council's Core Strategy:

CS1: Quality of Life
CS2: Growth and Regeneration Strategy
CS14: Design and Sustainable Construction
CS15: Valuing our Historic Environment

Saved Doncaster Unitary Development Plan:
TC11: Office Policy Area

7.0 Planning Issues and Discussion

Principle

7.1 The principle of the use is acceptable. HMO's are an important house type for the local housing market. Such accommodation provide a low cost housing option for single persons. This site is within an urban area, on the edge of the town centre and is therefore an appropriate location to accommodate this house type.

7.2 The land allocation is Office Policy Area. Saved local policy TC11 permits a wide range of uses in Office Policy Areas, which can include housing.

7.3 The property is on St Sepulchre Gate West. This is a street close to the town centre and it accommodates a mix of commercial and residential uses. There are other HMO's along this street but this proposal is not considered to create a proliferation and the commercial usage at ground floor will continue to dominate the ground floor frontages.

7.4 The historic use as a pub is no longer a viable and therefore an alternative use is being sought. A HMO is a suitable use given the upper floor is already a HMO.

Effect to Surrounding Land

7.5 The adjacent office site has experienced some problems with occupiers of the upper floor HMO. These problems include rubbish, overhanging and leaking pipework and rats. All problems were seen and noted by the planning officer on her site visit.

7.6 The applicant has admitted the site has had its issues but will be converting this property to a high standard and has now dealt with the rat problem.

7.7 Officers acknowledge and sympathise with existing issues raised by the objector. However, officers have worked with the applicant to design a layout that will prevent existing issues worsening and also prevent an intrusion onto the office site. The layout will have:

* All left hand side windows will not be used. These openings will be changed to fixed panes of obscure glass. The windows will not be openable.

* It has made clear to the applicant that there shall be no pipework, flues or vents fitted onto the left side. Instead, all pipework etc will be fitted discreetly to the front, rear or right side of the building and exact details will be a condition of the planning approval. This arrangement has been discussed with the Conservation Officer and he raises no objections.

* All bins will be stored at the back of the building and all residents have access to the back yard.

7.8 The scheme is not considered to cause any harm to the surrounding area. The building is within an urban area with regular traffic and footfall and as such, the nearby commercial or residential properties will not be disturbed or lose privacy, as a result of the proposal. The proposal will also be compatible with the first floor HMO.

Heritage Considerations

7.9 The Horse and Jockey public house is a key unlisted building in the town centre with significant heritage interest. The change of use will have very little impact to the external elevations and conditions of any planning approval will significantly restrict changes and any future alterations.

7.10 The conditions of any planning approval should include the location of all external pipework and fittings to be agreed, no alterations to the windows are permitted, compensatory works shall be carried out to the front elevation and removal of permitted development rights, including no advert boards.

8.0 Summary and Conclusion

8.1 The proposed change of use of the ground floor will provide low cost accommodation in a vacant building close to the town centre. It is acknowledged there are existing issues but this application has been amended to prevent those issues worsening. There is no material impact to the external appearance of the building. The proposal is therefore recommended for approval.

9.0 Recommendation

9.1 GRANT Full planning permission subject to the conditions below:

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. U0066025 The development hereby permitted shall be carried out in complete accordance with the details shown on the amended floor plan 01 Revision D, received by the Local Planning Authority on 19.11.2018.
REASON
To ensure that the development is carried out in accordance with the application as approved.
03. U0066028 No development shall take place until full details of all external flues, vents and pipework (including any roof insulation vents, heating and plumbing vents, and air extract vents) and of all meter boxes to be used in the conversion of the ground floor to a house in multiple occupation hereby permitted have been submitted to and approved in writing by the local planning authority. Full details shall include design, size, location, materials and colour. Development shall be carried out in accordance with the approved details.
REASON
To preserve and enhance the character and appearance of a key unlisted building in the town centre.
04. U0066069 Unless otherwise agreed in writing, prior to the occupation of the ground floor as a house in multiple occupation the following work shall be carried out to the building:
a) The left-hand window sill shall be reinserted back to its previous height, the heads to the left and middle windows exposed and all ground floor windows shall have all the stone mullions reinstated
b) Satellite dishes shall be re-sited away from the frontage
REASON
To preserve and enhance the character and appearance of a key unlisted building in the town centre and to compensate for the harm caused by the proposed installation of pipework, flues and vents on the front elevation.
05. U0066029 Full details of the design, construction and finish of the false door on the side elevation shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. Development shall be carried out in accordance with the approved details.
REASON
To preserve and enhance the character and appearance of a key unlisted building in the town centre.
06. U0066031 Should any changes be made to the existing windows on the front or right side elevation in connection with the change of use to a house in multiple occupancy, full details of these changes shall be submitted to and approved in writing by the local planning authority before the commencement of the relevant site works. The details to be submitted shall include details of the design, construction, materials and finish. Unless otherwise agreed in writing, the details shall include an elevation at 1:20 scale of each window type and 1:5 scale cross-sections. Development shall be carried out in accordance with the approved details.

REASON

To preserve and enhance the character and appearance of a key unlisted building in the town centre.

07. U0066070 Prior to occupation of the ground floor as a house in multiple occupation, the windows on the left side of the building at ground floor shall be fitted with fixed panes of obscure glass that are non-opening and these windows shall be retained for the lifetime of the development. Should any of the windows become damaged they shall be replaced with a like for like replacement and shall continue to be non-opening.

REASON

To protect any harm or nuisance to the adjacent office site.

08. U0066068 No additions, extensions, solar panels, advertisements boards or other alterations other than that expressly authorised by this permission shall be carried out or installed without prior permission of the local planning authority.

REASON

The local planning authority considers that further development or changes could cause detriment to this key unlisted building.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1: Proposed Floor Plan

