



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/021

Development Control Committee 3 May 2017

Planning Application DC/17/0594/FUL 1 St James Court, The Vinefields, Bury St Edmunds, IP33 1YD

Date Registered: 31.03.2017 **Expiry Date:** 26.05.2017

Case Officer: Matthew Gee **Recommendation:** Approve Application

Parish: Bury St Edmunds **Ward:** Eastgate

Proposal: Planning Application - (i) Conversion of 3no. windows to single doors on rear elevation and, (ii) replacement of 6no. windows on side elevations

Site: 1 St James Court, The Vinefields, Bury St Edmunds

Applicant: Miss Amey Yuill

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Matthew Gee

Email: matthew.gee@westsuffolk.gov.uk

Telephone: 01638 719792

Background:

1. The application is referred to the Development Control Committee as it has been submitted by a member of staff who works for the Council.

Proposal:

2. Planning permission is sought for:
 - i. Conversion of 3no. windows along rear elevation to single doors measuring
 - ii. Like for like replacement of 6no. side elevation windows

Site Details:

3. The site is located outside of a defined settlement boundary, and comprises of block of flats and maisonettes with parking located towards the northern boundary.
4. The site has 2 areas of group TPO's located to the north of the site.
5. Along the eastern boundary of the site is the Grade I Listed "wall to east of the former Abbey Vineyard" and a Scheduled Ancient Monument. Additionally, the site is in close proximity of a Public Right of Way, however the application site does not impact on it.

Planning History:

Reference	Proposal	Status	Decision Date
E/84/2337/P	Conversion of existing building to provide 2 no. maisonettes and 14 no. flats with related car parking	Application Granted	13.08.1984
E/82/1555/P	Provision of access, bus turning area and car park for St. James Middle School and conversion of headmaster's house to 12 flats/ maisonettes with related car parking	Application Granted	11.05.1982
E/81/1804/P	DEMOLISH EXISTING BUILDING AND REDEVELOP WITH RESIDENTIAL DEVELOPMENT	Application Refused	08.07.1981

Consultations:

6. Historic England : No Comment

7. Conservation Officer: No objection - the building is neither listed nor located within a conservation area and the proposed development will not adversely affect the setting of a designated heritage asset, I therefore have no objections.
8. Public Rights of Way: No comment at time of writing report, will verbally update at committee
9. Ramblers Association: No comment at time of writing report, will verbally update at committee

Representations:

10. Town Council: No objection based on information received
11. Letter of representation - 5 St James Court, The Vinefields, Bury St Edmunds: Objects to the application on the grounds that:
 - i. *The windows are in good condition, well made, built to last. The kitchen window (north) is modern, c.1986. The five lounge windows (west and south) are older. The three bedroom windows (south), are original 1880's windows, moved from the now demolished wing circa 1980. They identically match the fifteen windows on the south side. Double glazing could be retro fitted into these. It is not 'environmentally sound' to destroy repairable historic windows.*
 - ii. *Replacing the three west facing windows with overly tall, thin doors would actually decrease air flow. The insertion of double glazing will decrease airflow in flat 1, an apartment within a Victorian structure built with solid brick walls. This could cause a build up of damp and mould growth, affecting the health of both apartment and occupants. N.B. In 2012 St James Court was surveyed by RICS Jeremy Sheppard. In this survey he remarks, 'all apartments lack adequate ventilation'. Double glazing will only exacerbate an existing problem kept at bay by single glazed windows, currently allowing some airflow.*
 - iii. *I am concerned about increased living noise three open doorways would allow into the communal garden, as opposed to the existing windows. The proposed building work will cause considerable disruption to other leaseholders wishing to enjoy the garden during summer months. As a lease held apartment, other residents should be considered.*
 - iv. *It should be noted that in the previous planning application SE/10/0322 to insert doors into the west elevation of flat 3, (mentioned in this application) the specification was like for like design, but the panes of glass chosen do not match the existing fenestration, which favours rectangular, not square panes of glass, as currently seen in the new doors!*
12. No further letters have been received at time of writing report, will verbally update at Committee.

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

13. Joint Development Management Policies Document:

- Policy DM1 - Presumption in Favour of Sustainable Development
- Policy DM2 - Creating Places Development Principles and Local Distinctiveness

14. St Edmundsbury Core Strategy December 2010

- Policy CS3 - Design and Local Distinctiveness

Other Planning Policy:

15. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

16. The issues to be considered in the determination of the application are:

- Impact on character and appearance of building and surrounding area
- Impact on amenity
- Impact on nearby Listed Building, Schedule Ancient Monument, and TPO's
- Other Considerations

Impact on character and appearance of building and surrounding area

17. Policy DM2 seeks to ensure that proposed development respects the existing character and design of existing buildings. The proposed doors to the rear elevation are considered to respectfully match the existing design and proportions of the windows for which they replace. In addition, the replacement of the 6no. windows to the side elevation, will be done on a like for like basis, as such it is not considered to result in any adverse impact. It is considered that the proposal will result in no impact on the character or appearance of the existing building.

18. In addition, policy DM2 requires that proposals respect the existing character and appearance of the surrounding area. The proposed works will take place to the rear of the property and as such will not be widely visible from the public realm. In addition, the proposed works are considered respectful of the existing building, and therefore will result in no adverse impact on the surrounding area. As such it is deemed that the proposal is compliant with policy DM2.

Impact on amenity

19. Policy DM2 seeks to ensure that proposed development does not result in any adverse impact on the amenity of neighbouring residents. The proposed doors are located to the rear elevation, and replace existing windows. The doors are not considered to result in any additional overlooking compared to the existing windows for which they replace. As

such it is not considered that the proposal will result in any adverse impact on the amenity of neighbouring residents.

20. A letter of objection has been received from a neighbour with regards to the increased noise impact that the 3 doors would have on the communal garden. As the doors are replacing existing windows that could be opened, it is not considered that there would be an increased adverse impact in terms of noise, which would result in the loss of enjoyment to the communal garden area.

Impact on nearby Listed Building, Schedule Ancient Monument, and TPO's

21. The nearby Listed Building and Scheduled Ancient Monument are located along the eastern boundary of the site, approximately 30m from the proposed works. It is considered that the works, which are taking place to the rear and side elevations, are located a sufficient distance from the nearby Listed Building and Scheduled Ancient Monument as to have no adverse impact on the setting of them

22. The site also includes two Group TPOs, located approximately 20m north of the building. The proposed works will not result in any additional walking movements around the TPOs, and will be a sufficient distance from them. As such it is considered that any adverse impact will occur to the nearby TPOs.

Other considerations

23. A matter of whether the proposed replacement of windows would be 'environmentally sound' is not one that could be considered by the Planning Authority.

24. Matters of whether the replacement of the rear windows with doors would restrict airflow, thereby potentially causing a build up of damp and mould growth, is again not something that could be considered by the Planning Authority. This matter would be one that would be dealt with by the building management if they considered it to be an issue.

Conclusion:

25. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

26. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning

Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reason: To define the scope and extent of this permission.

Reference No:	Plan Type	Date Received
(-)	Existing & Proposed Floor Plans	21.03.2017
(-)	Existing & Proposed Elevations	31.03.2017
(-)	Location Plan	21.03.2017
(-)	Site Plan	21.03.2017
(-)	Window & Door Details	21.03.2017
(-)	Window Details	21.03.2017
(-)	Planning Statement	21.03.2017

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online at

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ON5LQ0PDFM200>

Case Officer: Matthew Gee Phone: 01638 719792