

Item 1

Application No. IP/19/00901/FUL

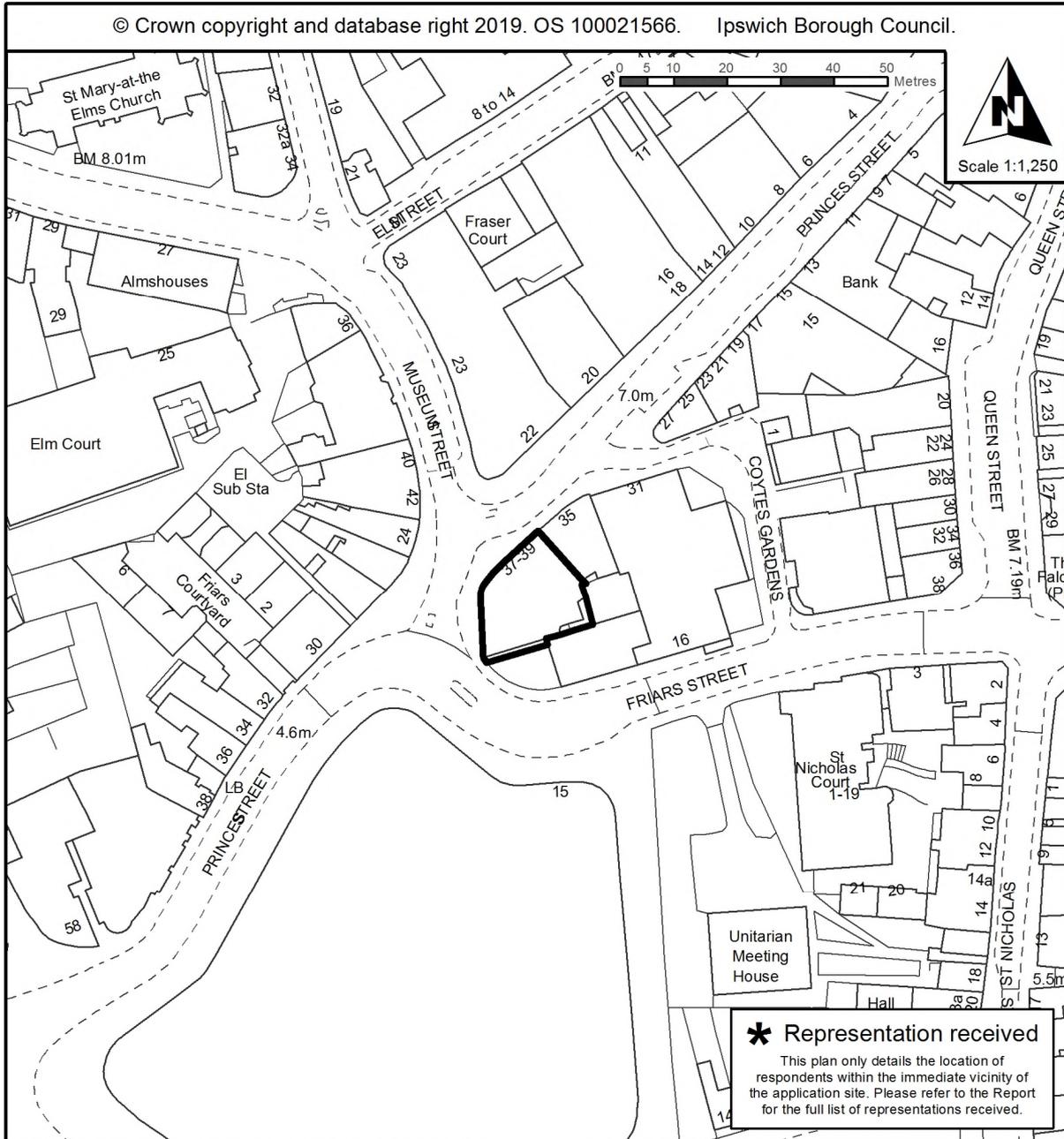
Ward: ALEXANDRA

Proposal: Erection of fourth floor mansard extension to provide 3 apartments

Address: 39 Princes Street

Applicant: Baldwin & Swalwell

Agent: Mr D Wife



IP/19/00901/FUL - 39 Princes Street

Recommendation – 19/00901/FUL

Grant planning permission upon condition that (briefly):-

1. The development is to be constructed in accordance with the approved plans.
2. Areas for storage of cycles and the wheeling ramps as indicated on the submitted plans to be provided and retained.
3. Areas for storage of Refuse/Recycling bins as shown on submitted drawings to be provided and retained.
4. Submission of a Pre-commencement Construction Management Plan for approval by the Local Planning Authority. The construction of the development shall be in accordance with the approved CMP.
5. Submission of Pre-commencement photographic condition survey of the highways fronting and near to the site to be approved. Any repairs or damage to the highways as a result of the development to be repaired.
6. Prior to occupation of the development, details of the long-term management of communal areas and refuse/recycling facilities to be submitted and approved by the Local Planning Authority. The development shall be managed in accordance with the approved details permanently.
7. Details to be submitted and approved by the Local Planning Authority:- External materials; Glazing and trickle vent detail; Full details of the installation of a mechanical heat-recovery ventilation system (MVHR) or similar system; Full details of a proposed air-cooling system or similar system.
8. Prior to occupation details of how the dwellings shall meet the necessary energy and water efficiency levels shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Informatives:

1. Ipswich Borough Council supports the use of automatic sprinkler systems.

1. Proposal

- 1.1 The application site relates to 'Century House' – a four storey classical architectural design building with a basement. The buildings use is use class B1(a) (offices) and is currently occupied by tenants Attwells Solicitors and The Prince's Trust.
- 1.2 The building and the site is located within the Town Centre boundary of the Borough, and within the IP-One policy area. The site is also within the Central Parking Core Area.

- 1.3 The site is located within the Central Conservation Area, but outside of any Air Quality Management Area (AQMA), and high risk flood zone.
- 1.4 The site forms an important vista along Princes Street, framing the street with a similarly proportioned corner building at 23 Museum Street. The site adjoins the Grade II listed Sun Alliance Offices, and is reflected off the black mirrored glazing of the Grade I listed Willis building opposite. The site is therefore in a sensitive position, surrounded by heritage assets and contributes positively to the character of the area.
- 1.5 Planning permission is sought for the creation of a fourth floor within a mansard roof extension above the existing building to provide 3 x 1 bed flats.
- 1.6 The application has been submitted with the following documents:
 - Design and Access Statement, including Heritage Statement
 - Acoustic Report

2. Background

- 2.1 A pre-application was submitted to the Council by the applicant in October 2018 for the erection of a two-storey (4th and 5th floors) extension comprising five flats.
- 2.2 The building benefits from permitted development change of use from B1a to C3 use which allows the first, second and third floor of the building to be converted into 12 apartments under reference IP/18/00675/P3JPA, and change of use from B1a to C3 use which allows ground floor of the building to be converted to 4 apartments under separate reference IP/19/00804/P3JPA.

3. Consultations

IBC Conservation and Urban Design – Finds the proposal acceptable. However, recommends that the proposed roof covering is amended from a single ply membrane to zinc or lead, which would be a more appropriate finish.

IBC Environmental Health – Environmental Protection – Object to the application as the submitted acoustic report does not meet the requirements for the application.

Suffolk CC Highways – No objection subject to conditions relating to provision of cycle and bin storage, details of construction management strategy, doors and windows to open into site only.

Historic England – Do not wish to offer any comments.

Representations

None received.

4. Policy

National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance

Local Planning Policy

Core Strategy and Policies DPD (2017)

Policies CS1 (Sustainable Development); CS2 (The Location and Nature of Development); CS4 (Protecting our Assets); CS7 (The Amount of New Housing Required); CS17 (Delivering Infrastructure); DM1 (Sustainable Design and Construction); DM3 (Provision of Private Outdoor Amenity Space in New and Existing Developments); DM4 (Development and Flood Risk); DM5 (Design and Character); DM6 (Tall Buildings); DM8 (Heritage Assets and Conservation); DM17 (Transport and Access in New Developments); DM18 (Car and Cycle Parking); DM26 (Protection of Amenity); DM30 (The Density of Residential Development)

Other Planning Guidance

- Space and Design Guidelines SPD (2015)
- Suffolk Guidance for Parking – Technical Guidance (Updated 2019)
- Cycling Strategy SPD (2016)
- DCLG Technical housing standards – nationally described space standard (2015)
- Central Conservation Area Appraisal and Management Plan

Other Legislation

Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that, when a local planning authority considers whether to grant planning permission for development that affects a listed building or its setting, it must have “special regard” to the desirability of preserving the building, its setting and any special architectural or historic features; and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5. Comment

Principle of development

- 5.1 Policy CS7 relates to the supply of housing and requires housing land be allocated for continual housing delivery during the plan period. In this regard the Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing.
- 5.2 The presumption in favour of sustainable development is a material consideration as set out within the NPPF (para 11). This means that the proposal should be granted planning permission unless the application of policies in the NPPF that protect areas or assets of particular importance, such as conservation areas, the setting of listed buildings

provides a clear reason for refusing the development proposed or any adverse effects of the development significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole or other policies within the development plan.

- 5.3 The NPPF encourages development of previously developed land but excludes land in built up areas such as residential gardens. Effective use of land is required but the environment and living conditions must be safeguarded (para 117). Development must function well and add to the overall quality of the area, be visually attractive, establish a sense of place and create places with a high standard of amenity for existing and future users (para 127).
- 5.4 The presumption in favour of sustainable development in this particular case would be disengaged if there was significant harm identified on the historic environment such as the surrounding Conservation Area or the setting of listed buildings. This is considered in detail below.

Design and Impact upon Heritage Assets, including Character and Appearance of the Conservation Area

- 5.5 The proposal seeks to erect an extension to provide a 4th floor to 39 Princes Street.
- 5.6 Local Plan policy DM6 specifically limits the provision of tall buildings to certain areas of Ipswich and other areas are only considered as an exception where it can be demonstrated satisfactorily that they satisfy the policy criteria.
- 5.7 Policy DM5 states that the Council will require all new development to be well designed and sustainable, and this means (amongst other things) protecting and enhancing the special character and distinctiveness of Ipswich, including significant views that are recognised as being important and worth protecting, the setting of any nearby listed buildings, and helping to reinforce the attractive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene.
- 5.8 Policy DM8 states that the Council will seek to protect and enhance the character and appearance of conservation areas, and that the position, height, mass and materials of a proposed building or extension, and the design of the space and landscaping around it, shall pay regard to the character of adjoining buildings and the area as a whole.
- 5.9 The NPPF at paragraph 193 states that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.
- 5.10 Furthermore, paragraph 194 states ‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be

exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

- 5.11 In this instance the principle of extending upwards of this building is acceptable in principle in this location. Whilst it is noted that the application building is located opposite a Grade I listed building, no objection has been raised by Historic England, who have been consulted as a statutory consultee.
- 5.12 The proposed mansard roof form is proposed to be of a height to match the existing mansard roof at the neighbouring building at No. 35 Princes Street and would be set back from the front of the building and would appear as a continuation to the existing mansard roof at No. 35. The proposed set back of the extension would reduce the impact of its visibility, which would only be apparent in vistas along Museum Street, Princes Street and Friars Street.
- 5.13 The proposed dormers are of a similar design to the existing dormers at No. 35 Princes Street. It is noted that the proposed dormers are not aligned/symmetrical with the fenestration at the lower floors. However, they do follow a rhythm and are as such positioned sensitively in relation to the windows at the lower floors.
- 5.14 The proposed extension is proposed to be finished in mostly sympathetic materials to the host building - Natural slate with lead lined dormers, painted brickwork, colour coated aluminium windows and doors and black plastic gutters and rainwater pipes. The originally proposed roof covering has been amended from a single ply membrane to zinc lead finish on the recommendation of the Council's Conservation Officer. As such it is considered that the proposed extension would be of an appropriate finish.
- 5.15 Whilst the proposal would alter the appearance of the conservation area, it is not considered that the proposed extension would cause harm to the character or special interest of the conservation area. As a result, officers conclude that the proposal would protect the character and appearance of the conservation area in accordance with policy DM8, and no potential harm has been identified.
- 5.16 This proposal has been subject to pre-application advice, and advice during the course of the application, and has been amended to overcome the concerns of the Council's Conservation and Urban Design Officer.
- 5.17 The setting of the Grade I listed building would be unaffected by the design of the additional floor. The Willis building would still be seen in a very similar urban context and would not be overcrowded or significantly impacted by the additional scale of the building subject of this application.
- 5.18 The proposals would safeguard the character and appearance of the conservation area, and would protect the setting of the listed buildings, and would be acceptable having regard to policies DM5, DM6 and DM8. Therefore, the development should

be considered in the light of paragraph 11 of the NPPF, presumption in favour of sustainable development.

Amenity of future occupiers and existing neighbours

- 5.19 Government Policy set in the Nationally Described Space Standards requires a minimum internal space standard for residential properties of 39 sq.m. for a 1 bedroom 1 person property. As outlined below, in terms of floor area all the proposed flats would meet the necessary Central Government standards for 1 bedroom, 1 persons apartments. All bedroom sizes would also accord with the standards as outlined below:
- Flat 13 - 39.00sqm
 - Flat 14 - 45.00sqm
 - Flat 15 - 39.00sqm with a balcony of 7.00sqm
- 5.20 All flats are provided with windows to main habitable rooms (kitchens, living rooms, and bedrooms) to provide natural daylight. The bathrooms/shower rooms would require some form of mechanical ventilation, which would be controlled by the building regulations.
- 5.21 With regards to amenity space, Policy DM3 requires all apartments to have an average of 25 sqm of private amenity space. The proposal fails to provide the requisite amenity space and as such would be contrary to policy DM3. However, given the location of the site within the town centre, within easy walking distance of public amenity areas (Christchurch Park and Waterfront for example), it is considered the lack of private amenity areas is not in itself a reason to refuse planning permission, and this would be similar other residential properties found in the locality.
- 5.22 Accordingly the proposal is considered to comply with the national standards, and given its location close to public open space amenity areas, an acceptable level of amenity is provided to future occupants.
- 5.23 Policy DM26 states that planning permission for any development (including change of use) will not be permitted where it would likely cause material nuisance to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 5.24 Furthermore, paragraph 180 of the NPPF states planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst other things) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 5.25 The application site is located within the town centre, and therefore the application has been submitted with a noise impact assessment to consider how future

residents would be protected from noise from road traffic and any nearby commercial sources of noise.

- 5.26 The survey results indicate a low risk to the proposed development from noise, and that the proposed residential use would be suitable. The assessment concludes that following achievable mitigation measures to the residential aspect of the proposal, internal noise levels would comply with national design guidance. Furthermore, the proposed residential apartments would be further away and part screened from road traffic at ground level compared with residential conversion of the offices on the lower floors, and the small screened external balcony area to serve one of the residential apartments would achieve the British Standard guidance sound level.
- 5.27 In conclusion the noise impact assessment considers that the development site is suitable for the proposed residential end use and can be developed so as not to cause significant disturbance to proposed future residents.
- 5.28 The noise impact assessment has been assessed by the Council's Environmental Protection team, who have raised concerns to the application as the submitted acoustic report is considered inadequate and does not identify late night noise at weekends. Furthermore, technical concerns have been raised over the assessment of the report and concerns that windows on all facades would have to be closed in order to achieve the required internal noise criteria.
- 5.29 Whilst these concerns are noted by officers, the provision of residential development is considered to be an important means of delivering housing supply and supporting the economic sustainability of the town centre. In this instance the proposed residential development is situated at high level, within a new extension at fourth floor level, and not in close proximity to noisy neighbouring properties, i.e. public houses or take-aways. As a result, it is considered noise from road traffic or pedestrians is unlikely to result in a significant detriment to future residents as to warrant a refusal of planning permission.
- 5.30 The noise impact assessment notes that windows to all facades would need to be closed to achieve the required acoustic performance, and that it would be important to ensure that the performance of the windows including the frame meet the required specifications. This is as a result of external plant equipment likely to be the dominant external sound source and that the final scheme window systems would need to be specified to ensure that they address any acoustic features of the fixed plant.
- 5.31 With windows closed, internal noise levels within the habitable rooms can meet the target values recommended in the WHO Guidelines and BS8233: 2014, and with appropriate conditions relating to glazing detail, it is considered that an appropriate and reasonable level of protection against noise for potential occupants of the dwellings can be demonstrated.
- 5.32 With regards to ventilation, the findings above indicated that based on the noise levels measured outside, natural ventilation by means of open windows would not achieve the required internal noise criteria during the day and night. An open window provides around a 10-15 dB reduction in external noise levels resulting in

levels substantially above the proposed internal criteria. Normal ventilation to comply with Building Regulations will therefore have provided through alternative ventilation systems such as mechanical ventilation systems, MVHR, or acoustically treated passive ventilators, which can be secured through a suitable worded planning condition.

- 5.33 In conclusion, whilst concerns have been raised by the Council's Environmental Protection team, the noise impact assessment having assessed the impact of noise from the road traffic noise and external plant equipment against both national and local guidance, it is concluded that the future occupiers will not experience significant adverse impacts in line with the policy aims contained with paragraph 180 of the NPPF.
- 5.34 Accordingly the proposal is considered, subject to the discharge, and implementation, of relevant conditions, to provide an acceptable level of amenity to future occupants, in compliance and consideration of policy DM26.

Access and Parking

- 5.35 Policy DM18 states that the Council will require adopted standards of car and cycle parking to be complied with in all new development (except in the IP-One area), and will expect parking to be fully integrated into the design of the scheme to provide secure and convenient facilities and create a safe and attractive environment. The Council will also require the provision of secure cycle parking in any new car parks in the town.
- 5.36 The site falls within the IP-One Policy Area which benefits from frequent public transport and is in a highly sustainable location. As a result, whilst the proposal is for a car free development, in this instance given the sustainable nature of the site, the lack of car parking is not considered to be a reason for refusal.
- 5.37 The proposal includes provision for accessible and secure cycle and bin storage at basement level. The adopted parking standards require a minimum cycle provision of 2 secure covered spaces per dwelling. The submitted Design and Access Statement states that secure parking for a further 6 cycles using 2 tier raked storage systems will be provided at basement level which will be accessed through the communal ground floor lobby area via steps with new wheeling ramps. Subject to conditions, it is considered adequate space is provided, and the proposal would comply with policy DM18, and the adopted standards.
- 5.38 Provision for refuse storage is also proposed to be accommodated at basement level (as previously approved under IP/18/00675/P3JPA for prior notification of change of use at first, second and third floor levels and IP/19/00804/P3JPA for change of use at ground floor level). The submitted Design and Access Statement states that the basement will provide general and recyclable waste in accordance with the Council's policy for town centre flats. On waste collection day the buildings cleaning management company will present refuse sacks out on the morning of the day of collection. Therefore there will be no requirement for refuse bins to be stored on the highway causing obstruction and dangers for other users of the adjacent footpaths.

- 5.39 Comments have not been received from the Council's Waste Management team, however it is considered that this approach is satisfactory.
- 5.40 The submitted plans indicate the provision of communal areas to access the application site, and provision of communal secure bin and cycle storage. As a result it is considered necessary to impose a condition requiring the management of these communal areas to ensure a high quality development is achieved.
- 5.41 The Highway Authority has requested conditions in relating to a construction management strategy and photographic condition survey. Given the recent highway public realm works along Princes Street, and the proximity of the site to other residential properties, these conditions are considered to be reasonable and appropriate.
- 5.42 The proposal is therefore considered to be acceptable in this regard and subject to conditions comply with policy DM13(f).

Landscaping and Ecology

- 5.43 The application site has low landscape and ecological value as the building generally occupies the whole site with the exception of a narrow strip accommodating an external fire escape staircase to the southern elevation.
- 5.44 As a result given the site characteristics, the proposal will not adversely affect ecology, and no opportunities exist for additional landscaping.

Sustainability

- 5.45 Policy DM1 requires all new development to achieve a high standard of environmental sustainability. The Council will require that the development is built to particular standards in terms of energy use and water usage as required by policy DM1, and a requisite condition is proposed.
- 5.46 Policy DM4 requires developments to demonstrate that it would not increase the overall risk of all forms of flooding in the area or elsewhere through the layout and form of the development and appropriate application of Sustainable Drainage System (SuDS). With regards to drainage and foul sewage, the proposals are seeking the use of existing drainage system. The proposal is considered to accord with policy DM4.

6. Planning Balance

- 6.1 The proposed development would protect and enhance the character and appearance of the conservation area, and the setting of the nearby listed buildings. The proposals should therefore be considered in accordance with paragraph 11 of the NPPF and the presumption in favour of sustainable development.
- 6.2 The development would be sustainable in this location and meet national planning policies and guidance. The proposed new dwellings would provide additional housing

that would help to meet the need for Ipswich in a highly sustainable location that would support the economic sustainability of the town centre. The proposals would be an acceptable form of design and would not have a harmful impact on highway safety, or the amenity of the area including the character and appearance of the conservation area and setting of listed buildings.

7. Conclusion

- 7.1 The proposals would comply with Policies CS4, CS7, DM1, DM3, DM4, DM5, DM6, DM8, DM17, DM18, DM26, and DM30, and the policies of the NPPF.