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| APPLICATION NUMBER: | LW/17/0929 | ITEM NUMBER: | 6 |
| APPLICANTS NAME(S): | Sussex Housing Ltd | PARISH / WARD: | Seaford / Seaford Central |
| PROPOSAL: | Planning Application for Change of use from hotel (Use Class C1) to an 18 bedroom House in Multiple Occupation (HMO)(Sui Generis) with a maximum of 30 residents. | | |
| SITE ADDRESS: | Avondale Hotel 4 - 5 Avondale Road Seaford East Sussex BN25 1RJ | | |
| GRID REF: | TQ 4892 | | |



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site comprises a pair of semi-detached properties which have been joined together and are in use as a hotel. The hotel is located on the north-western side of Avondale Road close to the War Memorial and where the road forks away from Sutton Park Road. The building is not Listed or situated in a Conservation Area, but it is within the built-up Planning Boundary of Seaford.

1.2 The building has a traditional footprint with rear projections and has late Victorian/Edwardian styling.

1.3 There is no specific record of planning permission having been granted for the use of the buildings as a hotel, but the planning history indicates that the premises have been a hotel since before the late 1970s.

PROPOSAL

1.4 The application seeks planning permission for the change of use of the premises from hotel (Use Class C1) to a House in Multiple Occupation (HMO) (Sui Generis land use).

1.5 The HMO will have 18 rooms with the capacity to accommodate up to 30 persons. The proposed configuration is as follows:-

- Ground Floor: Two dining rooms, a communal kitchen, four self-contained units.
- First Floor: Two single units, four double units with two bathrooms and kitchens at the rear.
- Second Floor: Eight rooms and two bathrooms.
- (Occupancy up to 30 persons)

1.6 There will be no off-street car parking provision owing to the absence of any accessible open space within the curtilage of the site.

1.7 The application has been revised in relation to the previously refused scheme including a reduction in the number of total occupants from 31 to 30, and also alterations to the proposed floor plan so that the rooms at first floor level on the rear elevation will be kitchens instead of bed-sitting rooms, and the rear windows at second floor level will be obscure glazed and non-opening below 1.7m.

1.8 The applicant has submitted the following supporting information:

- Marketing information.
- An HMO management plan.
- A statement from the hotel proprietor.
- Tax returns.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – SP2 – Distribution of Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP5 – The Visitor Economy

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/17/0544 - Change of use from C1 to 18 bedroom HMO with a maximum of 31 residents
- **Refused**

LW/79/1949 - Change of Use from private hotel to private residence. Deemed Refused. -
Refused

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Environmental Health – No objection

4.2 No objection subject to conditions to control hours of construction and informatives relating to storage and removal of waste materials; no bonfires on site; and the premises being subject to the mandatory HMO Licence under the Housing Act 2004.

4.3 LDC Regeneration & Investment – No objection

4.4 We note the applicant has submitted additional supporting evidence to the previous application (LW/17/0544), which further highlights the impact of the sharing economy and key providers including Airbnb. The supplementary information shows that the success of such providers has had some negative implications for small-scale accommodation establishments. We also acknowledge that the provision of rented accommodation within the sharing economy can bring similar benefits to the local economy especially in terms of visitor spend and the proportion of spend locally that can contribute to sustainable local economies. In summary, the applicant has provided additional evidence to the previous application (LW/17/0544).

4.5 This evidence highlights the difficult trading conditions faced over the last few years, and we recognise that a sustained marketing campaign has been undertaken to market the property as an ongoing concern.

4.6 Whilst it is clear that the proposed change of use is likely to have a negative effect on the local visitor economy, we acknowledge the robust evidence that has been provided by the applicant. We would ideally like to see consideration given to the retention of the subject property for an alternative form of visitor accommodation but, should this not prove viable, then we reluctantly accept the conversion of the subject property to alternative uses.

4.7 Seaford Town Council – Objection

4.8 Having considered the supporting evidence on marketing and viability submitted with the application the Committee did not consider that the applicants had overcome the presumption in favour of the retention of accommodation in Core Policy 5(2) of the Joint Core Strategy 2016.

4.9 The need to retain and expand tourist accommodation is identified in the town's Draft Neighbourhood Plan as a key strategic objective and it was considered therefore that, irrespective of the need for emergency accommodation for the homeless, this change of use could not be supported.

4.10 There were also concerns regarding the overlooking of and loss of privacy to residents of properties at the rear of the Hotel and the effect of the intensity of the residential use on the amenities of the area.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Cllr Nicholson has submitted a letter objecting to the application.

5.2 Representations have been received from "Greenfield" 3, 6, Ground Floor Flat 7 Avondale Road; 28 Stafford Road; 26 Grove Road, objecting to the application for the following reasons:-

- Out of character.
- Contextual significance.
- Inappropriate function and scale.
- Grossly unneighbourly.
- Over development.
- Overcrowding.
- Detrimental to local visitor economy.
- Shortage of tourist accommodation.
- Effect on Town Centre viability.
- Contrary to policy.
- Contrary to the adopted Lewes District Council Plan.
- Contrary to Lewes District Strategy Plan.
- The management plan for residents will intensify the likelihood of anti-social behaviour on surrounding streets, the local environment and the War Memorial.
- CCTV may invade neighbours' privacy.
- Overlooking.
- Loss of privacy.
- Noise and disturbance.
- Increased demand for parking.
- Parking issues.
- Highway hazards.
- Traffic on A259.
- Not sustainable.
- The draft Seaford Neighbourhood Plan has abandoned ideas of building a new hotel in an alternative location.

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the planning application include the principle of development; the impact on neighbour amenity; and the impact on sustainable transport and accessibility.

6.2 No external alterations are proposed and as such the impact on visual amenity and the street scene should not change as a result of the proposed change of use.

PRINCIPLE

6.3 The key objectives of Core Policy 5 "The Visitor Economy" of the adopted Joint Core Strategy include promoting and achieving a sustainable tourism industry in and around the district and to reduce the need to travel and promote a sustainable system of transport and land use for people who live in, work in, study in and visit the district. The rural area of the South Downs allows very good access to high quality countryside including Cuckmere Haven near to Seaford, and the seafront. Core Policy 5 seeks to facilitate this in having a presumption in favour of the retention and improvement of existing visitor accommodation stock.

6.4 The applicant has submitted supporting information including confidential details of tax returns and net profits. The submission also includes details of long-term marketing. There are strong objections from local people who consider that the hotel should be retained, and objections have been received from Seaford Town Council in this regard as well. There are few hotels left in Seaford but it is clear that the application site is no longer economically viable as a hotel and following a long period of marketing, no parties have expressed a willingness to take on the premises. Should the hotel use continue, it will most likely close down and become vacant.

6.5 There is a need for small and low cost housing units such as Houses in Multiple Occupation (HMO) and the helpful role they play in emergency accommodation, preventing homelessness and helping people onto the property ladder. The proposed use as an HMO is therefore acceptable in principle, and is considered appropriate in this location near to the town centre, which itself is busy and vibrant.

NEIGHBOUR AMENITY

6.6 The comments from neighbouring residents in respect of the impact on residential amenity are acknowledged. The site location is densely built up and includes both terraced houses and purpose built flats. To the rear of the application site lies 22-28 Stafford Road, a three storey block of flats. This building is 15.7m from the hotel building. Stafford Court is 17.1m from the hotel building, and this is a three storey building with a part two storey element on the far side to the application site. 20 Stafford Road is a semi-detached building which is 19.8m from the hotel building.

6.7 The applicant has revised the proposed internal layout following the refusal of the previous planning application, LW/17/0544. The two rooms at the back of the building at first floor level will now be kitchens instead of habitable bed-sitting rooms. Similarly, the second floor windows will be obscure glazed and non-opening below 1.7m. The occupants of these top rooms will still benefit from some outlook by virtue of the side windows to these rooms.

6.8 The revisions undertaken by the applicant are considered to have overcome the second reason for refusal of the previous application.

ACCESSIBILITY AND SUSTAINABLE TRANSPORT

6.9 The application site is in a sustainable location in terms of accessibility. The site is 120m from the town centre of Seaford in which there are many shops and services including banks and pharmacies. The application site is 190m from the nearest bus stop where there are frequent buses along the coast following the A259. The application site is also 350m from Seaford mainline railway station and this is considered to be within easy walking distance.

6.10 For these reasons future occupants of the HMO will not need to rely on the use of a private car for their day to day travel needs as there are more sustainable alternative options that are easily available. The proposals will not provide off-street car parking due to the constraints of the application site

6.11 The concerns expressed by local residents in respect of the impact of the development on demand for on-street car parking are noted. However, levels of car ownership associated with HMO residents are highly likely to be lower than for privately owned accommodation and 2011 Census data showed that 70% of people living in studio accommodation in the Lewes District do not own vehicles. Based on this information nine or fewer residents (30% of 31 residents) will have a car and on-street car parking is available. Taking into account the proximity of the application site to the town centres, shops, services and good links to public transport, the refusal of planning permission on this basis will be difficult to justify, and the demand for on-street car parking is not likely to exceed that which is presently generated by the existing hotel use.

7. RECOMMENDATION

In view of the above approval is recommended subject to conditions.

The application is subject to the following conditions:

1. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. No development shall take place until details of a cycle parking facility, to include a 1:50 scale layout plan and 1:100 scale elevations have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the cycle parking facility shall be provided prior to the first residential occupation of the development and retained as such thereafter for the use of residents and visitors to the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and to encourage and provide for means of travel other than the private car in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. Unless otherwise agreed in writing by the local planning authority, the windows on the rear elevation of the building at second floor level, on the projecting outrigger, shall be obscure glazed (to a minimum of Level 3 privacy) and non-opening to a minimum height of 1.7 metres above the internal finished floor level of those two rooms, as shown on approved drawing "Proposed First & Second Floor Plans". The windows shall be installed as such prior to the first residential occupation of these rooms and retained as such thereafter.

Reason: To protect the privacy and residential amenity of neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy

and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>
2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. The premises will be subject to a mandatory HMO Licence under the Housing Act 2004.
4. The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit <http://www.hse.gov.uk/Asbestos/regulations.htm>.
5. The applicant is hereby encouraged to minimise waste arising from the development by way of re-use and/or recycling. All waste materials arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

This decision is based on the following submitted plans/documents:

| <u>PLAN TYPE</u> | <u>DATE RECEIVED</u> | <u>REFERENCE</u> |
|---------------------------|----------------------|---------------------------------|
| Design & Access Statement | 30 October 2017 | |
| Location Plan | 30 October 2017 | 1:1250 |
| Existing Floor Plan(s) | 30 October 2017 | 1:50 |
| Existing Floor Plan(s) | 30 October 2017 | 1:50 JAN'2009 |
| Proposed Floor Plan(s) | 30 October 2017 | 1:50 OCT'2017 |
| Existing Elevation(s) | 30 October 2017 | 1:50, 1:100 FEB'2009 |
| Proposed Elevation(s) | 30 October 2017 | 1:50, 1:100 OCT'17 |
| Additional Documents | 30 October 2017 | HMO MANAGEMENT PLAN |
| Additional Documents | 30 October 2017 | MARKETING INFO |
| Additional Documents | 30 October 2017 | PRE-APP TO AGENT (CONFIDENTIAL) |
| Additional Documents | 30 October 2017 | PROPRIETOR STATEMENT |

