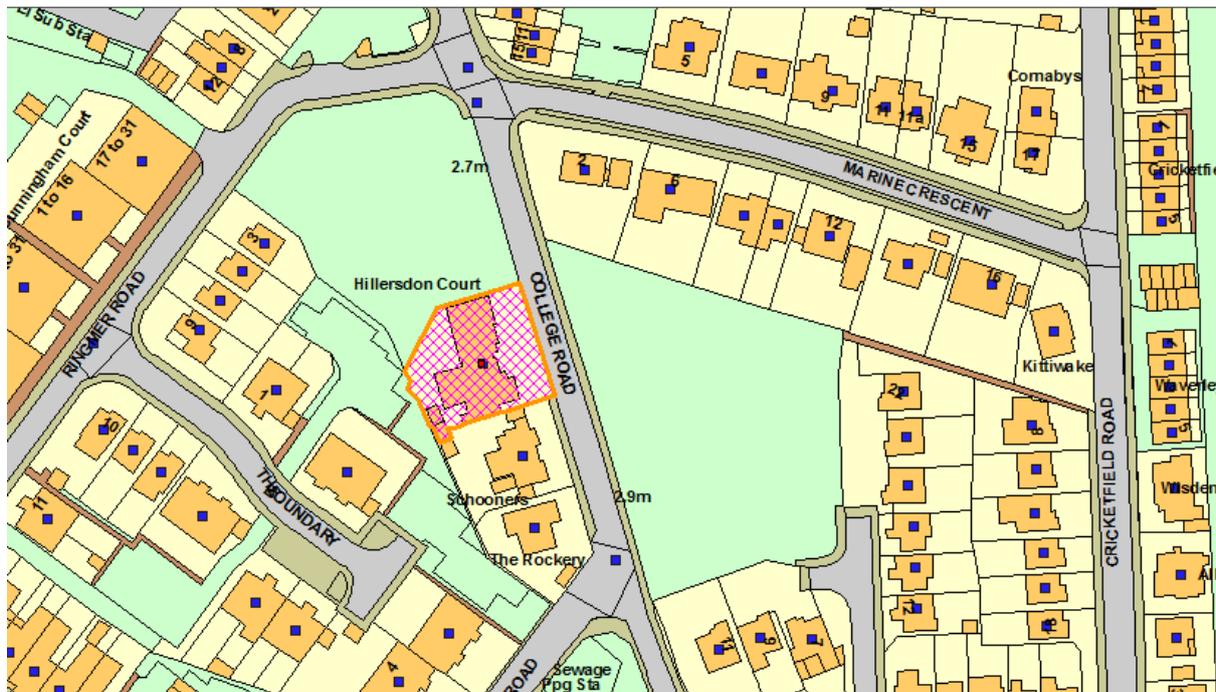


Report to: Planning Applications Committee
Date: 9th June 2021
Application No: LW/20/0478
Location: 18 College Road, Seaford, BN25 1JD
Proposal: Conversion of existing care home to create two semi-detached 3-bedroom houses, and a detached building consisting of 3 flats (1x 1bed, 1x 2bed and 1x 3bed).
Ward: Seaford Central
Applicant: Mr & Mrs Lord
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Map Location:



IMPORTANT NOTE: This scheme is CIL Liable.

1. Executive Summary

- 1.1 The proposed development is considered to represent an appropriate use of the existing building. The development would not require any significant external works, would integrate well with surrounding residential uses and would provide a suitable standard of living accommodation for future occupants.
- 1.2 It is therefore recommended that the application is approved subject to relevant conditions.

1.3 This application is being presented to the Committee for determination as the applicants are serving district councillors.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

2. Achieving sustainable development

4. Decision making

8. Promoting healthy and safe communities

11. Making effective use of land

12. Achieving well-designed places

14. Meeting the challenge of climate change, flooding and coastal change

2.2 Lewes District Local Plan (Parts 1 and 2)

LDLP: – CP2 – Housing Type, Mix and Density;

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP: – DM1 – Planning Boundary

LDLP: – DM20 – Pollution Management

LDLP: – DM23 – Noise

LDLP: – DM25 – Design

LDLP: – DM27 – Landscape Design

2.3 Seaford Neighbourhood Plan

SNP: – SEA2 – Design

3. **Site Description**

3.1 The site is occupied by a two-storey building currently occupied by a care home use. The building has the appearance of two detached buildings which were subsequently interlinked, and when previously in use as student accommodation, had a two-storey extension added to the north under planning permission S/61/0134. The extension was connected to the original building by a narrow single-storey flat roof lobby. A two-storey flat roof link was added at a later date. The student accommodation use ceased in 1984 and was replaced by the current care home use. The 1960's element was extended further to the north in the late 1990's following approval of application LW/96/0703. Various single-storey extensions and outbuildings have been added to the rear of the building over time.

3.2 Side and rear boundaries of the site are marked by a low rendered wall which is supplemented by approx. 1.8 metre high timber trellis fencing that is positioned directly behind it. There is an enclosed amenity area

to the rear which is partially hard surfaced. There is a line of semi-mature trees along the boundary in the north-western corner of the site. The area to the front of the building is open with the full width of the building frontage facing onto a hard surfaced parking area which is accessed by a full length dropped kerb crossover on College Road.

- 3.3 The site is located within the planning boundary. College Road provides a link between the seafront and the town centre to the north. The western side of the road in the immediate vicinity of the site is bordered by a group of large two-storey buildings comprising the application building, the dwelling at Schooners which occupies the adjoining site to the south, and the dwelling at The Rockery. These buildings face towards public open amenity space on the opposite side of the road. There is also an area of public open space to the immediate north of the site. The predominant use of surrounding buildings is residential and largely comprises two-storey dwellings to the east and north with larger two and three-storey purpose built flats included within the mix to the west.
- 3.4 The site falls within Environment Agency Flood Zone 3. There is also evidence that a historic use of the site and surrounding area for landfill was undertaken. There are no other specific planning designations or constraints attached to the site.

4. Proposed Development

- 4.1 The proposed development involves separating the original Cliff View House from the more modern extensions to the north by way of removing the single and two-storey flat roof linkages. Various extensions and outbuildings would also be removed as well as external staircases to the rear of the building. Cliff View House would then be converted into 3 x flats which would be configured as follows:-
- 1 x 1 bed, 1 person ground floor flat;
 - 1 x 2 bed, 3 person ground floor flat;
 - 1 x 3 bed, 4 person first floor flat;
- 4.2 The former northern extensions to the building would be subdivided into 2 x 3 bed, 4 person two-storey dwellings.
- 4.3 The works associated with the conversion would be largely concentrated on the building interiors with exterior works being cosmetic only and including resurfacing of the parking area, provision of a roof light to the rear of Cliff View House and sun pipes on the roof of both buildings, restoration of parts of buildings where extensions and other structures are to be removed, subdivision of rear amenity space into garden area, replacement glazing, formation of new access doors at ground floor level and restoration/resurfacing of roofing.
- 4.4 Each of the proposed semi-detached dwellings would be allocated 2 x car parking bays to the front. Each of the flats would be provided with 1 x car parking bay and an additional bay would be available for shared use by the occupants of the flats.

5. **Relevant Planning History**

- 5.1 **S/61/0134** – New classroom, dormitory, lavatory and bedrooms – Approved 23rd May 1961
- 5.2 **LW/84/1949** - Single storey extension at rear and internal alterations to convert dwelling to Rest Home – Approved 21st January 1985
- 5.3 **LW/93/1353** - Erection of first floor front dormer.- Approved 16th November 1993
- 5.4 **LW/94/0248** - Erection of a Victorian Style conservatory on the rear elevation at Hillersdon Court Residential Care Home – Approved 19th April 1994
- 5.5 **LW/96/0703** - Two storey, six bedroom extension – Approved 12th August 1996
- 5.6 **LW/97/0726** - Demolition of conservatory and erection of a single storey extension to rear elevation to provide additional living area only – Approved 8th August 1997

6. **Consultations**

6.1 Consultations:

Environment Agency

The submitted Flood Risk Assessment is now satisfactory. Therefore, we can remove our previous objection to the proposal.

Environmental Health

No objection subject to the carrying out of an intrusive investigation into potential sources of contamination.

Southern Water

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

Seaford Parish Council

It was resolved to support the application. It should be noted that the applicant in this case is a member of the Committee but did not attend the meeting and took no part in the consideration of the application

7. **Neighbour Representations**

- 7.1 One letter of support has been received. A query was also raised as to the land ownership of the site area as shown on the previously submitted plans. Amended plans were subsequently received to clarify this matter.

8. Appraisal

8.1 Key Considerations

8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

8.2 Principle

8.2.1 The proposed works involve the loss of an existing 24 bedroom care home facility. The Local Development Plan does not include any specific policies that seek to prevent loss of such facilities although LLP1 policy CP2 (2) does seek to ensure that new residential development 'provides flexible, socially inclusive and adaptable accommodation to help meet the diverse needs of the community and the changing needs of occupants over time' and states that 'this need will include accommodation appropriate for the ageing population and disabled residents'. Para. 7.25 of LLP1 states that 'the local planning authority acknowledges the importance of providing an appropriate range of housing types for all sectors of the community, particularly housing for older people in recognition of the ageing population of the district.

8.2.2 With reference to the above, the buildings would remain in residential use following the proposed conversion and a mix of unit sizes would be provided, including 1 and 2 bed flats for which there is an identified need in the district, and would therefore provide a mix of accommodation that would serve a wide spectrum of the community.

8.2.3 It is also important to note that the existing care home is somewhat constrained in that it is housed within a converted building, which is not ideal from a functionality and adaptability perspective, and has limited space for amenity and any future additions or adaptations that may be required to ensure it continues to meet CQC standards. This is a common issue with smaller care homes within converted buildings. It is also noted that permission has recently been granted for a 55 bed care home in Seaford under application LW/19/0364.

8.2.4 It is therefore considered that the principle of the conversion is acceptable.

8.3 Visual Impact

8.3.1 The proposed development would effectively create two relatively large detached two-storey residential buildings. It is considered that this is consistent with the established character of this part of College Road. The conversion works would allow for the removal of a number of unsympathetic additions to the building including the single and two-storey flat roof linkages and the external staircases to the rear. It is therefore considered that the proposed works would allow for a reduction of clutter on the site and an improved visual contribution to the wider street scene.

- 8.3.2 The parking would be accommodated on an existing hard surfaced frontage parking area that would be resurfaced and landscaped in order to improve upon its current appearance. The cosmetic changes to the walls, roofs and fenestrations of the buildings are also considered to represent an improvement. Bin storage areas would be provided to the front of each of the buildings in order to maintain a tidy appearance.
- 8.3.3 The proposed scheme incorporates landscape and biodiversity enhancements with the existing concreting and paving slabs to the rear being replaced by lawns and additional boundary tree and hedge planting being carried out. This would also mitigate the loss of the existing fir trees in the south western corner of the site which would be replaced with silver birch and bay willow trees.
- 8.3.4 The new garden spaces would be enclosed using 1.8 metre timber close boarded fencing which is a form of boundary treatment that is a common presence on surrounding residential properties.
- 8.3.5 It is therefore considered that the application complies with policies CP2 and CP11 of LLP1, policies DM20, DM25 and DM27 of LLP2, policy SEA2 of the Seaford Neighbourhood Plan and para. 127 of the NPPF.

8.4 Impact upon Amenities of Neighbouring Residents:

- 8.4.1 The level of activity generated by the proposed residential use of the buildings would be similar, or most likely lower, than the activities of the existing use given that movements associated with staff and visitors would no longer occur and the overall number of residents would also decrease. The removal of the first floor external staircases would also lead to a reduction in overlooking/overbearing impact upon neighbouring properties.
- 8.4.2 No new openings would be formed at first floor level and, as such, it is not considered that the proposed development would introduce any intrusive views towards neighbouring residential properties.
- 8.4.3 It is therefore considered that the proposed development complies with LLP1 policy CP11, LLP1 and policies DM20 and DM25 of LLP2.

8.5 Living Conditions for Future Occupants

- 8.5.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 8.5.2 All habitable rooms are served by clear glazed openings and the flats, as well as the dwellings, are dual aspect thereby allowing for prolonged exposure to natural light throughout the day and more effective natural ventilation. All primary windows would have a reasonable unobstructed outlook.

- 8.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. All the dwellings exceed to National Space standards in terms of room sizes and overall floorspace of the units being provided.
- 8.5.4 The ground floor flats and both dwellings would have access to private gardens to the rear. It is considered that the amount of space provided in these gardens is adequate to for each of the household that they would serve. Whilst it is regrettable that there is no private amenity space allocated to the first floor flat it is considered acceptable in this instance due to the close proximity of the site to public amenity areas.
- 8.5.5 The entrances to all of the proposed properties would be subject to a good level of surveillance either from surrounding streets or from neighbouring properties and it is therefore considered that there would not be any unacceptable sense of seclusion or isolation experienced by occupants of the development. The set back of front facing ground floor windows from the road would also allow for defensible space to be provided to the front of the each property.
- 8.5.6 It is therefore considered that the proposed development complies with policy CP2 of LLP1, policy DM25 of LLP2 and section 8 of the NPPF.

8.6 Parking Demand and Highway Impact

- 8.6.1 It is not considered that the proposed use would generate any significant change traffic generation over that currently associated with the care home use.
- 8.6.2 The proposed development would be served by a total of 8 x car parking bays. Each dwelling would be allocated two bays whilst each flat would have one allocated and an additional shared space, a need for which was identified through interrogation of the ESCC car ownership parking demand tool. This identified a need for an additional space for visitors. Whilst this is not available on site it is considered that, in this instance, the surrounding highway network has the capacity to accommodate the anticipated level of visitor parking demand.
- 8.6.3 All parking bays meet the minimum dimensions required by ESCC Highways. Whilst there is no turning space on site, meaning vehicles will have to reverse either into or out of the bays, it is considered this arrangement is acceptable as College Road is not a major route and there is no footway on the crossover provided.
- 8.6.4 Each dwelling would be equipped with an electric vehicle charging point and 2 additional points will be provided to be shared by the occupants of the flats. Full details of the type of charger have been submitted with the application. This provides accordance with policy CP14 of the Lewes District Joint Core Strategy and the Electric

Vehicle Charging Points and Sustainability in Development Technical Guidance Notes. Secure and covered bike storage would be provided within the rear garden areas serving the ground floor flats and the semi-detached dwellings. These gardens all have direct access to the public highway. The first floor flat would be provided with a bike anchor facility in the communal hall area beneath the staircase. Any bike stored here could be easily wheeled along the hall and out onto the street. It is therefore considered that appropriate measures are incorporated into the development to encourage the uptake in use of more sustainable modes of transport.

- 8.6.5 It is therefore considered to that the development complies with LLP2 policy DM25 and paras. 108, 109 and 110 of the National Planning Policy Framework (NPPF).

8.7 Flooding and Drainage

- 8.7.1 The site is located within Flood Zone 3 and is therefore susceptible to flooding, in this instance from tidal sources. Flats and houses are categorised as a form of development that is 'more vulnerable' to flooding as per para. 066 of the Planning Practice Guidance for Flood risk and coastal change. This classification also applies to the current use.

- 8.7.2 A Flood Risk Assessment (FRA) has been provided in support of the application and has been reviewed by the Environment Agency. This FRA identifies mitigation measures to address initial concerns raised by the Environment Agency in regards to the evacuation of occupants of self-contained ground floor flats on the event of a flood and the provision of flood resilience measures.

- 8.7.3 The proposed development would include the removal of buildings and hard surfacing to the rear of the site and replacement with permeable surfaces. This should reduce the level of surface water discharge from the site. The resurfacing of the parking area to the front of the building could also be carried out using permeable materials. This would help reduce discharge onto the public highway and will be secured by way of a planning condition.

- 8.7.4 The development is therefore considered to comply with policy CP12 of LLP1 and paras. 163 And 165 of the NPPF.

8.8 Sustainability, Biodiversity and the Circular Economy

- 8.8.1 The proposed development involves the adaptation/improvement of an existing building to provide new residential units, a use that is considered to have long term viability. It is therefore considered that the application responds positively to the aims and objectives of the Circular Economy Technical Advice Note. Electric Vehicle Charging Points and bike stores would be provided to support the use of more sustainable modes of transport.

- 8.8.2 The proposed development would facilitate the removal of hard surfaced areas to the rear of the site and replacement with soft planting. This would include the planting of native trees in site boundaries as well as additional hedging, shrubs, herbs and flowers.

Bird boxes would also be mounted in the rear garden areas. It is therefore considered that the proposed development would provide some biodiversity net gain, in accordance with the Biodiversity Technical Advice Note.

- 8.8.3 It is therefore considered that the proposed development complies with LLP1 policy CP14, LLP2 policy DM25, NPPF para. 148 and the aims and objectives of the LDC Technical Advice Notes for Sustainability in Development and the Circular Economy.

8.9 Contamination

- 8.9.1 The area to the south and west of the site has previously been used for landfill purposes, with the disposal of inert, industrial, commercial and residential waste taking place between 1930 and 1960. A desk study submitted with the application states that there is uncertainty over whether the landfill was ever backfilled and that there is potential risk to the site from the generation and migration of ground gasses and possible landfill leachate, particularly as the site is in an area that is at risk from flooding.
- 8.9.2 The site is also in an area where 5-10% of estimated homes are at or above the action level for exposure to radon.
- 8.9.3 The report recommends that intrusive investigations are carried out prior to commencement of development to investigate potential sources of contamination and to assess whether radon protection is required
- 8.9.4 This approach is supported by the Council's Environmental Health Officers. It is therefore considered that, provided further investigative works do not identify significant issues, or that if any issues are discovered they can be adequately mitigated, the proposed development would comply with policies DM20 and DM21 of LLP2 and para. 178 of the NPPF.

9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

- 10.1 It is recommended that permission is granted subject to the conditions listed below.

10.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings.

PLAN TYPE	DATE RECEIVED	REFERENCE
Location Plan	15 th October 2020	10691/06 Rev B
Proposed Ground Floor Plan	12 th April 2021	10691/07 Rev D
Proposed First Floor Plan	29 th October 2020	10691/08 Rev C
Proposed Roof Plan	29 th October 2020	10691/09 Rev C
Proposed Elevations	29 th October 2020	10691/10 Rev A
Desk Study Report	2 nd February 2021	J14683 Issue 1
Flood Risk Assessment	25 th January 2021	Project ref 20015, Doc ref RP-D-2120-S4, version PO2, dated January 2021

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development shall be carried out in accordance with the submitted Flood Risk Assessment (project ref 20015, doc ref RP-D-2120-S4, version PO2, by BPS), dated January 2021) and the mitigation measures detailed within section 5.3.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

3. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:
 - a) Additional site investigation scheme in relation to potential landfill gas, based on desktop study already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected , including those off site.
 - b) The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

4. Prior to the first occupation of any part of the development hereby approved, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall include any plan (a 'long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, para 170, 178 and 179.

6. No part of the development hereby approved shall be occupied until all parking areas have been provided, surfaced and marked out in accordance with the approved plan 10691/07 Rev D and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. Adequate provision must be made to ensure that surface water does not drain on to the public highway.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to Policy CP13, of the

Lewes District Local Plan part one, and Policy DM25 and DM30 of the Lewes District Local Plan part two and para. 110 of the NPPF.

7. Prior to the first occupation of any part of the development hereby permitted, the electric vehicle charging points shall be installed in the positions shown and to the specifications provided on plan 10691/07 Rev D. The charging points shall be in an operational condition and maintained as such thereafter throughout the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 and CP14 of Lewes District Local Plan, para. 110 of the Revised National Planning Policy Framework, the LDC Electric Vehicle Charging Points Technical Guidance Note. And the LDC Sustainability in Development Technical Advice Note.

8. Prior to the first occupation any part of the development hereby permitted hard and soft landscaping shall have been carried out in accordance with details and specifications provided on approved plan 10691/07 Rev D. This includes the provision of bird boxes in the positions shown. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is appropriately and sympathetically screened, provides a secure and safe environment for future occupants and achieves a net gain in biodiversity in accordance with section 12 of the revised NPPF, policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 and DM27 of the Lewes District Local Plan part two and the Biodiversity Net Gain Technical Advice Note (TAN).

9. Prior to the first occupation of any part of the development hereby approved, the bin and cycle storage facilities shown on approved plan 10691/07 Rev D shall be installed in accordance with those details and maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part 1, policy DM25 of the Lewes District Local Plan Part 2 and para. 104 of the Revised National Planning Policy Framework.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works (including the formation of new windows) as defined within Part 1 of Schedule 2, classes A-F inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in

accordance with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 of the Lewes District Local Plan Part 2.

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by engaging with stakeholders, visiting an existing business site to get a better understanding of the operation, identifying matters of concern and negotiating acceptable amendments. 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.

11. **Background Papers**

11.1 None.