

App.No: 141112	Decision Due Date: 6 January 2014	Ward: Upperton
Officer: Richard Elder	Site visit date: 20 November 2014	Type: Planning Permission
Site Notice(s) Expiry date: 31 October 2014		
Neighbour Con Expiry: 30 November 2014		
Weekly list Expiry: 30 November 2014		
Press Notice(s): n/a		
Over 8/13 week reason: Referred to planning committee		
Location: Hurst Arms, 76 Willingdon Road, Eastbourne		
Proposal: Subdivision of residence above The Hurst Arms public house into two self-contained flats facilitated by a rear metal staircase and access at first floor level, conversion of existing outbuilding to rear of site into one self-contained residential unit and associated alterations.		
Applicant: Harvey & Son (Lewes) Ltd		
Recommendation: Approved conditionally		

Executive Summary:

The application provides the positive gain of 2 net residential dwellings on a windfall site contributing positively to the Council's spatial development strategy (Policy B1 of the Core Strategy) providing smaller one and two bedroom accommodation in a sustainable location and neighbourhood.

The proposed development will assist in meeting the identified housing delivery target for the neighbourhood. The development would conform to the Ocklynge & Rodmill neighbourhood Policy (Policy C5 of the Core Strategy) in providing new residential accommodation, and is therefore considered sustainable development.

The provision of residential accommodation would not adversely impact on the viability of the existing public house subject to conditions and the first floor flat allocated to a management flat. The alterations are focused at the rear of the premises, are not highly visible from the public realm and would not, therefore, impact on the character or appearance of the area.

The proposal would have no significant impact on residential amenity and would provide a good standard of residential accommodation.. As such, the

proposal is considered acceptable and would constitute a sustainable form of development.

Planning Status:

Predominantly residential area.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting green belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

Eastbourne Core Strategy Local Plan 2013 Policies

B1 Spatial Development Strategy and Distribution
B2 Creating Sustainable Neighbourhoods
C5 Ocklynge and Rodmill Neighbourhood Policy
D5 Housing Low Value Neighbourhood
D10a Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development
UHT4 Visual Amenity
H09 Conversions and Change of Use
HO20 Residential Amenity
TR11 Car Parking

Site Description:

A 2/3 storey period building currently in use as a public house on the ground floor with management accommodation above on the upper 2 floors. The pub has a front and rear beer garden and a designated smoking area to the rear. A rear outbuilding previously used as a stables building is located to the rear east boundary of the site and accessed from both the rear beer garden and the access road to the rear.

A parking area exists to the rear with provision for 3 cars accessed via the rear access road.

Relevant Planning History:

No relevant history

Proposed development:

The proposal involves the conversion of the upper floors to 2 self-contained flats with the first floor flat being allocated for management accommodation. The flats would be accessed via a proposed side/rear staircase and associated screening to the side and facilitated by the insertion of a first floor half landing door replacing a window.

The stables building to the rear is proposed to be converted to a 1/2 bedroom unit with direct access to a side and rear garden. The garage/stable doors are to be replaced with timber windows and a new timber window would replace the shutter above. Two side doors would be replaced with glazed doors and a window and a new front entrance door would replace the existing door facing onto the access road. A door is proposed to be inserted within the wall to the east side facing the access road to facilitate direct access to the rear garden.

Bin storage area would be located to the rear within the rear hardstanding.

Consultations:Internal:

Specialist Advisor (Planning Policy) – No objection

External:

None

Neighbour Representations:

A letter of support has been received, 3 objections and 1 general observation have been received and cover the following points:

- Overlooking and loss of privacy from rear first floor window of outbuilding
- Parking to the rear should be allocated to the flats.
- Parking is difficult in the area.
- Loss of parking area for the pub.
- Front door of outbuilding exits straight onto road.

Appraisal:

The main considerations in the determination of this application are the acceptability of the conversion of the upper floors and stables to residential, and the impact on surrounding residential amenity.

Principle of development:

The application provides the positive gain of 2 net residential dwelling on a windfall site within the Ocklynge & Rodmill neighbourhood, contributing positively to the Council's spatial development strategy (Policy B1 of the Core

Strategy). The proposed development will assist in meeting the identified housing delivery target for the neighbourhood. The development would conform to the Ocklynge & Rodmill neighbourhood Policy (Policy C5 of the Core Strategy) in providing new residential accommodation, and is therefore considered sustainable development.

The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission to ensure greater choice of housing in the local market and to meet local and national housing needs. The site has not been formally identified for development within the Council's Strategic Housing Land Availability Assessment, therefore would be a windfall site. The Council relies on windfall sites coming forward as part of its spatial development strategy (Policy B1 of the Core Strategy Local Plan).

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

It is considered, therefore, that the principle of residential development is acceptable subject to compliance with all other relevant planning policies within the Local Development Framework.

Change of Use

Policy H09 of the Eastbourne Local Plan states that the change of use of non-residential premises to residential would be permitted if it can be clearly demonstrated that the proposal is well designed and provides an acceptable level of accommodation.

The proposal would involve the conversion of a large 7 bedroom management flat into 2 large 2 bedroom flats and a 1/2 bed flat within the stables building. The proposed accommodation is acceptable and would constitute a good quality standard of accommodation. The first floor flat would be allocated as a management flat for purposes of management and to avoid any noise transferral impact from the ground floor pub area and conditioned as such. The stables accommodation would benefit from direct access to a rear garden which is currently the covered rear garden to the beer garden/smoking area.

The proposal would, therefore, represent an efficient use of the building in bringing underused floorspace back into use and delivering new housing through conversions, contributing positively to the Council's spatial development strategy (Policy B1 of the Core Strategy). As such, it is considered that the proposal would accord with Policies H09 of the Eastbourne Local Plan.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

Objections have been received concerning overlooking from the rear first floor window to the stables building. The first floor internal layout shows a mezzanine floor at first floor set back approximately 2 metres from this window. Revised plans have also been received showing the lower 2 glass panes of the window obscure glazed to further avoid any overlooking and it is considered that these measures would not result in any overlooking to rear gardens of Hurst Road.

With regards the staircase, facilitating access to the upper floor flats, revised plans have been received showing a screen to the side of the staircase and flat roof adjacent to 78 Willingdon Road to address any overlooking to this property. A condition is also recommended to ensure that the flat roof area should not be used as an amenity area.

As such, it is considered that the proposal would not have an adverse impact on residential amenity and the proposal would accord with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Design issues:

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused. Policy D10a requires new development to make a positive contribution to the townscape and urban heritage.

The proposed alterations to the principle building are minor and mainly focused at the rear building and not highly visible from the public arena. As such, they would not have any significant impact on the character or appearance of the building.

With regards the stable/outbuilding, the proposed alterations are mainly focused on replacement windows and doors to facilitate the conversion to residential. The style of the windows and doors are timber cottage style windows and would be in-keeping with the character and appearance of the building and would enhance the appearance of the of the rear area facing onto the access road.

As such, it is considered that the proposal would not have an adverse impact on residential amenity and the proposal would accord with Policies HO20 of the Eastbourne Local Plan, Policy B2 of the Eastbourne Core Strategy.

Impacts on highway network or access:

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

The proposal would provide 3 parking spaces within the rear hardstanding accessed from the rear access road allocated for the occupiers of the flats and outbuilding. This level of provision would be acceptable given the location of the premises within a relatively good area of public transport accessibility on a main bus route and proximity to the town centre and train station.

As such, it is considered that the proposal would not have any material adverse impact on on-street parking capacity within the vicinity and would accord with Policy TR11 of the Eastbourne Local Plan.

Planning obligations:

Human Rights Implications:

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.

Conclusion:

The application provides the positive gain of 2 net residential dwellings on a windfall site contributing positively to the Council's spatial development strategy (Policy B1 of the Core Strategy) providing smaller one and two bedroom accommodation in a sustainable location and neighbourhood. The proposed development will assist in meeting the identified housing delivery target for the neighbourhood. The development would conform to the Ocklynge & Rodmill neighbourhood Policy (Policy C5 of the Core Strategy) in providing new residential accommodation, and is therefore considered sustainable development.

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Recommendation:

Approved conditionally

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

- Site location plan/block plan – received
- Existing floor and elevation plans – received
- Proposed floor plan – received
- Proposed side elevation – received
- Proposed elevation plan – received

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out in accordance with the plans to which the permission relates.

3. . That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour.

Reason: To ensure a satisfactory external appearance and in the interests of visual amenity.

4. The first floor flat above the public house trading area shall be used as the landlord's management flat for the building and shall not be occupied by anyone but the landlord or anyone not associated with the management of the ground floor public house.

Reason: In the interest of ensuring that the occupiers of this flat are not adversely affected by any potential noise and disturbance associated with the public house.

5. The first floor flat roof to the side extension, used to facilitate access to the flats at first and second floor, level shall not be used as a balcony, patio, roof garden or similar amenity area.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

6. The parking spaces provided to the rear shall be allocated to and used solely for the occupiers of the flats hereby permitted and shall be retained

permanently for the accommodation of vehicles of the occupiers of the flats and shall not be used for any other purpose.

Reason: To ensure a satisfactory form of development.

7. Notwithstanding the approved details, the development shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of proposed trees and planting plans, species specification and samples of hard landscaping materials.

Reason: In the interests of visual appearance and integrating the development into its surroundings.

8. That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

Reason: In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area.