

<b>App.No:</b> 150514 (PPP)	<b>Decision Due Date:</b> 31 July 2015	<b>Ward:</b> Upperton
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b>	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 5 July 2015		
<b>Neighbour Con Expiry:</b> 5 July 2015		
<b>Press Notice(s):</b> 10 July 2015		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> 37a The Goffs		
<b>Proposal:</b> Change of use from B1 offices to C3 residential to form four one-bedroom flats with introduction of internal courtyard and replacement of existing doors and windows.		
<b>Applicant:</b> Mr M Adams		
<b>Recommendation:</b> Approve		

**Executive summary:**

The proposed development would have no adverse impact on the character and appearance of the conservation area, residential amenity, and parking/highway safety. It would provide residential accommodation in a sustainable location.

Application is recommended for approval.

**Planning Status:**

Commercial premises on the boundary of commercial and residential areas.

**Constraints:**

Old Town Conservation Area  
Archaeological Notification Area  
Source Protection Zones

**Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C4: Old Town Neighbourhood Policy

D5: Housing

D10: Historic Environment

D10A: Design

## Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT4: Visual Amenity

UHT15: Protection of Conservation Areas

HO2: Predominantly Residential Areas

HO9: Conversions and Change of Use

HO20: Residential Amenity

BI1: Retention of Class B1, B2 and B8 Sites and Premises

TR2: Travel Demands

TR11: Car Parking

### **Site Description:**

This detached building is located to the rear of 35 The Goffs (opposite the junction with Moat Croft Road), and backs onto Manor Gardens in Gildredge Park; Eastbourne Manor (a listed building) adjoins it to the east, and a public car park and entrance to Manor Gardens lies to the west. Originally a service building (evidenced by the door in the roof, characteristic of facilities to load horse drawn carts), it has been much extended and is now attached to the boundary wall of the park behind. The alterations to the entrance to the park in the late 1990's have resulted in an access ramp being built up against part of the front elevation, whilst a narrow footpath remains to the remainder, and separates it from the public car park.

### **Relevant Planning History:**

EB/1977/0549

Erection of a single-storey building at the side of printing works.

Granted 24 January 1977

EB/1981/0469

Change of use from printing works to offices for the Slavic Gospel Association.

Granted 15 September 1981

EB/1981/0586

Conversion of roof space and the formation of dormers to provide additional office accommodation.

Granted 29 December 1981

### **Proposed development:**

Permission is sought to convert the premises into four self-contained, one-bedroom flats. The external alterations involved to effect this are:

- The demolition of part of the 1970's single storey extension to form an internal courtyard (and therefore windows and doors looking into it)
- The removal of roof lights in the flat roof.
- The replacement of the door in the roof with an obscure glazed fixed window
- Reconfiguration of existing window/door set on the west elevation to provide separate entrances, and rendered panels below the windows
- Provision of a new high level window to service a kitchen adjacent to the ramp
- The provision of a bin store in a side alley between the premises and 35 The Goffs

The flats proposed would be small (the smallest would have 33m<sup>2</sup> of floor area), although two of them would have access to outside space of approximately 7m<sup>2</sup> each.

### **Consultations:**

#### Internal:

Estates Surveyor - no comment on the application.

Specialist Advisor (Planning Policy) - The Old Town neighbourhood has been identified as one of the most sustainable neighbourhoods in the Borough, and has the potential to deliver additional housing development in one of the most sustainable areas of the town. However it will generally see little development due to the limited availability of sites.

Core Strategy Policy C4: Old Town Neighbourhood Policy identifies that the Old Town Neighbourhood should deliver housing through infill and redevelopment of commercial premises. It is not considered that there are any strong economic reasons why this proposal would be unacceptable, and therefore it is in accordance with the NPPF para 51 and consistent with other Core Strategy policies. There are no planning policy objections to this application.

Specialist Advisor (Conservation) - the principle of the proposed works is acceptable, however it is recommended the lower element of the reconfigured window being reconsidered in an alternate material. *N.B. Amended plans have been submitted which addresses this element.*

#### External:

#### Neighbour Representations:

Five representations have been received and cover the following points:

- No objection in principle to residential use, however the provision of four units will increase the demand for parking in the public car park, and may displace vehicles into the surrounding streets
- The commercial businesses in the vicinity are all long established and all pay rates; they are heavily dependent on this area of free parking which is already congested, and the impact on the businesses may be fatal.
- It would result in huge additional congestion and may well lead to an increase in accidents occurring at an already dangerous junction.
- Should the plans be revised to provide four parking spaces, or three dwellings with three off road spaces, then there would be no objection.
- The car park frequently floods and this development will add to it.
- There is no requirement for private properties of this type unless it is for social housing which there is a desperate need for.
- It will infringe privacy and block light to 33, 35 and 37 The Goffs.
- Direct overlooking/loss of privacy from the proposed balcony. *N.B. Amended plans have been submitted which removes the proposed balcony.*

### **Appraisal:**

The main issues to take into account in determining this application are the impact on the character and appearance of the conservation area, residential amenity, loss of the commercial use and parking/highway safety.

#### Impact on character and appearance of the conservation area:

The premises have been much altered and make little contribution to the public realm, although the original form of the building can still be read. Extensive use of inappropriate UPVC windows and doors has detracted from any merit the building may once have had. Amended plans have been submitted which have gone some way to address the failings of the original scheme to respect elements such as proportion and design of the windows and doors. As such, the proposal could be regarded as having a positive impact on the conservation area. The relatively minimal external works would have the benefit of having no impact on the adjacent listed building at 33 The Goffs.

#### Residential amenity:

The impact on adjacent residents has been mitigated by the submission of amended plans which have removed a balcony originally proposed on the flat roof, which would have resulted in an unacceptable loss of privacy to habitable rooms in the adjacent flats. As there is no extension of the building proposed, it is not agreed that the proposal would block light to any of the surrounding properties.

The proposed flats are small, but are just about adequate; they are, however, out of character with the generally spacious accommodation prevalent in the immediate area. This has to be balanced with the precise location of the premises, which is not ideal in terms of the amenities of the occupiers, and is unlikely to command high returns. Two of the flats would have living room windows directly on the edge of the public footpath leading to the park, whilst the outlook from the remaining ground floor windows is generally poor (in one case the only window serving a bedroom would be 30cm from the high flint boundary wall surrounding 33 The Goffs) into the very small rear courtyard. The flat in the roof space would be partly within the existing skelining which obtains daylight from four roof lights. Nevertheless, the building is located within a popular area and would provide accommodation more affordable than might otherwise be the case.

#### Loss of commercial/employment premises:

The proposal involves the loss of office space to residential use. The National Planning Policy Framework (NPPF) (para 51) states that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. The loss of a relatively small commercial property in this backland location would not constitute a strong economic reason.

#### Impacts on highway network or access:

The Highway Authority has commented verbally that as the car park is already full for most of the day, the proposal would make no difference to the number of vehicles using the junction. Although in recent times the office appeared to have a relatively low number of employees on site for most of the time, the floorspace would have the potential for at least as many employees as residents for the proposed flats, should it be sold on as an existing B1 use. The main difference is likely to be in the evenings when the takeaway opposite the application site is serviced by a number of vehicles. However, as this is a car park privately owned by the Council for the benefit of the public, its use for commercial purposes cannot be safeguarded for the advantage of any particular user.

### Sustainable development implications:

The site is in a sustainable location, in close proximity to shops, services, the town centre, and is on a well serviced bus route.

### Other matters:

As there is no curtilage around the building, except for the new courtyard, and it sits on the edge of the public footpath and ramp to the park, it is important that the windows on this elevation and the alley to the side do not open outwards, and this will be subject to a condition.

### **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:**

Notwithstanding the small size of the accommodation and the diminished outlook from the windows, the proposed development would have no adverse impact on the character and appearance of the conservation area, residential amenity, loss of the commercial use and parking/highway safety. It would provide residential accommodation in a sustainable location. The proposal therefore complies with national and local policies.

**Recommendation:** Approve, subject to the following conditions

### **Conditions:**

1. Commencement of development within three years
2. Compliance with approved plans
3. Hours of operation
4. Colour of doors and rendered panels
5. Windows set into reveals with cills; structural glazing bars.
6. Obscure fixed glazing to first floor window (permanent)
7. Only inward opening windows on west and north elevations

### **Appeal:**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**