

<b>App.No:</b> 151227	<b>Decision Due Date:</b> 12 January 2016	<b>Ward:</b> Devonshire
<b>Officer: Neil Holdsworth</b>	<b>Site visit date:</b> 09 December 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 16 December 2015		
<b>Neighbour Con Expiry:</b> 14 December 2015		
<b>Press Notice(s):</b> NA		
<b>Over 8/13 week reason:</b> Application is within time.		
<b>Location:</b> 41 Pevensey Road, Eastbourne		
<b>Proposal:</b> Proposed conversion of a previously approved 2-bedroom ground floor flat into 2no. 1-bedroom self-contained flats for single occupancy including a new single storey rear extension.		
<b>Applicant:</b> Mr Tony Watson		
<b>Recommendation:</b> Approved conditionally		

### **Executive Summary:**

This is a resubmission of a planning application previously considered by planning committee on 29<sup>th</sup> September 2015. The works proposed comprise the partition of the ground floor of 41 Pevensey Road in to two self-contained one bedroom flats and the erection of a rear extension at ground floor level.

Whilst the committee found the extension to be acceptable, the application was refused on the grounds that the layout of the residential accommodation in unit 2 was substandard. Following discussions and negotiation with officers to address the reason for refusal, the applicant has submitted a new application proposing alterations to the layout of the rear unit (flat 2) to provide an improved residential layout. Following these amendments, the proposed development is now considered acceptable in planning terms, and the application is recommended for conditional approval.

### **Conservation Area**

Town Centre and Seafront Conservation Area

### **Relevant Planning Policies:**

National Planning Policy Framework

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design  
Section 12 Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

B2 Creating Sustainable Neighbourhoods  
C1 Town Centre Neighbourhood Policy  
D5 Housing  
D10 Historic Environment  
D10A Design

Eastbourne Borough Plan Saved Policies 2007

UHT15 Conservation Area  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity

**Site Description:**

41 Pevensey Road is a three storey terrace property which has been converted into four self-contained residential units, with two at ground floor level and one each at second and third floor level. The site is situated within the Town Centre and Seafront Conservation Area.

**Relevant Planning History:**

080321

Conversion from a house in multiple occupation to three self-contained flats  
Planning Permission  
Approved conditionally  
09/07/2008

150759

Proposed conversion of a previously approved 2-bedroom ground floor flat into 2no. 1-bedroom flat including a new single storey ground floor rear extension.

Planning Permission  
Refused  
01/10/2015

**Proposed development:**

The application seeks to regularise works which have already been undertaken to the premises consisting of

- The erection of a single storey ground floor rear extension measuring 7.5m in length, to the north-eastern boundary with No.43 Pevensey Road; and
- Conversion of the ground floor of the property into two one bed flats

The plans have been amended following refusal of the previous refused application (150759). The changes comprise

- Proposed alterations to the layout of flat 2 to remove a dividing wall denoting an individual room to create two open plan areas, a bathroom and a bedroom.

These alterations have not yet been undertaken, as such the application is part retrospective.

**Consultations:**

No consultation responses received.

**Appraisal:**

Principle of development:

There is no objection in principle to the proposed development, providing there would be no significant impact on the amenity of the surrounding properties, the flats provided suitable accommodation and the design is appropriate for the setting in accordance with relevant sections of the NPPF 2012, policies of the Core Strategy Local Plan 2012 and saved policies of the Borough Plan 2007.

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

The rear extension to the north-eastern boundary would not have a significant impact on the adjacent property given the existing rear extension to No.43 Pevensey Road.

Amenity of future occupiers

Two one bedroom flats are proposed.

- Flat 1 to the front of the property measures 33m<sup>2</sup> internal floor space. (Unit 1)
- Flat 2 to the rear of the property measures 38m<sup>2</sup> internal floor space. (Unit 2)

For a one person, one bedroom unit the requisite national standard is 39 m<sup>2</sup> (or 37 m<sup>2</sup> if there is a bath and no shower). However, in cases where the works involve conversion and adaptation of an existing building flexibility can be applied. In the case of unit 1 the space is otherwise well proportioned with doors opening out to approximately 4 m<sup>2</sup> of outside area (in addition to the 33m<sup>2</sup> internal floor area). This helps to mitigate the small size of the unit, and is considered to make the unit acceptable as a one person, one bedroom unit in the circumstances of this case.

In respect of unit 2 to the rear, concerns were previously expressed regarding its layout which despite its small size is currently in effect a two bedroom unit with kitchen/diner, bathroom and two bedrooms. This was previously considered unacceptable in amenity terms as in terms of its total floor area, the unit was significantly below the total floor space required for a two bedroom unit (61 m<sup>2</sup>).

To address the reason for refusal, the current application proposes the removal of an internal stud partition wall, replacing the smaller bedroom with a larger open plan area which could be used as a secondary living area in addition to the bedroom at the rear, and the kitchen/dining area to the front. The removal of the corridor provides a better proportioned room which has more useable living space, and on balance is now considered to be acceptable in terms of residential quality.

Conditions are recommended to ensure that the unit is completed in accordance with the approved layouts, and that the works to remove walls in question are undertaken within six months of this decision.

Design issues and impact on character and setting of a listed building or conservation area:

The extension is rendered to match the existing building, with UPVC casement windows. The site is situated within the Town Centre and Seafront Conservation area, however the extension is to the rear and not visible from public viewpoints. It is not considered there are any adverse impacts on the conservation area.

Impacts on highway network or access:

It is not considered that the addition of one residential unit in this town centre will result in a significant additional demand for on-street parking to warrant the refusal of the application on this ground.

Sustainable development implications:

None relevant

Other matters:

The committee resolution of 29<sup>th</sup> September 2015 authorised enforcement action in respect of the units as built. Following the submission of revised plans by the applicant enforcement action has been held in abeyance, pending the outcome of this decision.

**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 proposed application is considered acceptable in land use, amenity and design terms and is recommended for conditional approval.

**Recommendation:**

Grant planning permission

**Conditions:**

- 1) You must implement this planning permission in accordance with the following approved plans:

41PERDEB00.002.001.BOR.PL.GMB  
41PERDEB00.002.BOR.PL.GMB

At no time shall there be any changes to the internal layout of the flats hereby approved unless previously agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

- 2) You must complete this development by undertaking works to remove the internal partition wall that presently exists within unit 2 and is not shown on the approved plans. You must undertake this work within a period of six months of the date of this decision. You must not occupy any part of the rear unit until these works have been completed.

Reason: To ensure the layout hereby approved by this planning permission provides an acceptable standard of residential accommodation in accordance with the relevant nationally defined residential standards.

**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**.