

<b><u>No:</u></b>	<b>BH2020/02590</b>	<b><u>Ward:</u></b>	<b>Rottingdean Coastal Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>8 Eileen Avenue Saltdean Brighton BN2 8AD</b>		
<b><u>Proposal:</u></b>	<b>Conversion of existing dwellinghouse to form 5no self-contained flats (C3) incorporating internal reconfiguration, revised fenestration, installation of balconies to front and rear, new boundary treatments, installation of refuse and cycling storage, new rear and front patios, revised vehicular crossover and associated works.</b>		
<b><u>Officer:</u></b>	Joanne Doyle, tel: 292198	<b><u>Valid Date:</u></b>	24.09.2020
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	19.11.2020
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Whaleback Ltd The Old Bank 257 New Church Road Hove BN3 4EE		
<b><u>Applicant:</u></b>	Reefsouth Ltd C/o Whaleback Ltd The Old Bank 257 New Church Road Hove BN3 4EE		

## 1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

### Conditions:

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

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	TA 1292/01	A	24 September 2020
Proposed Drawing	TA 1292/10	A	24 September 2020
Proposed Drawing	TA 1292/11	A	24 September 2020
Proposed Drawing	TA 1292/12	B	11 December 2020
Proposed Drawing	TA 1292/13	A	24 September 2020
Proposed Drawing	TA 1292/14	A	24 September 2020
Proposed Drawing	TA 1292/15	A	24 September 2020
Proposed Drawing	TA 1292/16		14 September 2020

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development

shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

4. The amended crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

**Reason:** In the interests of highway safety and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

5. The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

**Reason:** To ensure that adequate parking provision is retained and to comply with policy CP9 of the City Plan Part One.

6. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

**Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

7. The development hereby permitted shall not be occupied until a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.

**Reason:** To safeguard the privacy of the occupiers of the property and adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

8. The eastern elevation windows at first floor serving the bedroom and kitchen/living room to unit 3 and the western elevation windows at first floor serving the bathroom to unit 4 and hall to unit 5 of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

9. The development hereby permitted shall not be occupied until details of the 1.8m privacy screens to the rear balconies been submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.

**Reason:** To safeguard the privacy of the occupiers of the property and adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

10. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;
- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
- c. details of all boundary treatments to include type, position, design, dimensions and materials;

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required by law to be constructed under licence from the Highway Authority. The applicant must contact the Council's Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) prior to any works commencing on the public highway.

## **2. SITE LOCATION**

- 2.1. The application site relates to a two-storey detached dwelling located on the southern side of Eileen Avenue. The property is constructed in brickwork at ground floor, tile hung at first floor with a tile hung roof. The property features a grassed lawn to the front and a hardstanding area used for car parking with a driveway and crossover and a double garage to the front elevation. The properties either side are detached bungalows with roof accommodation and the properties which abut the site to the rear and within the immediately surrounding area are detached dwellings within a suburban setting. The street scene comprises of a mix of dwellings of mainly two storey detached dwellings and bungalows varying in built form, scale and materials.
- 2.2. The building is currently under renovation which has been on-going since approximately 1997 when planning permission was granted for extensions to the dwelling. This project commenced yet was not completed and left the site as an on-going construction site for a period in excess of twenty years. The property has been vacant for a number of years and is an active case with the Council's Empty Properties Team.

## **3. RELEVANT HISTORY**

- 3.1. BH1997/01381/FP- Erection of 2 storey addition to provide new kitchen on ground floor and 2 additional bedrooms on first floor. Approved 12.11.1997.

## **4. APPLICATION DESCRIPTION**

- 4.1. The application seeks permission to convert the existing dwellinghouse into 5 self-contained flats comprising 4no 2-bed units and 1no studio unit. The external alterations would involve alterations to fenestration, the addition of balconies and works to renovate the building and facilitate the conversion to flats.
- 4.2. During the course of the application a revised first floorplan has been submitted to improve the layout of the first floor front unit by enlarging the living room area.

## **5. REPRESENTATIONS**

- 5.1. **Eighteen (18)** letters of representation have been received objecting to the proposal for the following reasons:
  - Overdevelopment
  - Not in keeping
  - Flats inappropriate
  - Refuse storage insufficient
  - Increase fly tipping
  - Lack of parking provision

- Traffic increase
- Detrimental to road safety
- Additional noise and disturbance
- Overbearing
- Overshadowing, overlooking and loss of privacy
- Loss of daylight, traffic, noise and artificial lighting and pollution
- Increased use of balconies
- Contrary to policy
- Affect house prices
- Existing structure has been a blot on the landscape
- Existing dwelling is higher than others and overshadows
- Poor design
- Poor landscaping
- No other flats within vicinity
- Future planning applications for flats
- Questioning the compliance of original permission and building works
- New permission would exceed that of the old permission

## 6. CONSULTATIONS

- 6.1. **Sustainable Transport:** No objection  
No objection subject to recommended conditions.
- 6.2. **Environmental Health:** Comment  
There are no known contaminated land concerns.
- 6.3. **Arboriculture:** No comment  
There are no trees or significant vegetation in proximity to this development, as such an arboricultural comment is not required.

## 7. MATERIAL CONSIDERATIONS

- 7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
  - Brighton & Hove Local Plan 2005 (retained policies March 2016);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
  - Shoreham Harbour Joint Area Action Plan (JAAP) 2019.

- 7.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## 8. **POLICIES**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation which was completed on 30th October 2020.

#### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable Transport
CP10	Biodiversity
CP12	Urban Design
CP14	Housing density
CP19	Housing mix

#### Brighton & Hove Local Plan (retained policies March 2016):

TR7	Safe Development
TR14	Cycle access and parking
SU9	Pollution and nuisance control
SU10	Noise nuisance
QD15	Landscape design
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes

#### Supplementary Planning Document:

SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

## 9. **CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of development, design and appearance of the proposal and the impacts of the proposal on the character and appearance of the property, related streetscene and wider area, the amenities of adjacent occupiers, the standard of accommodation to be provided, and transport issues.

Principle of Development:

- 9.2. The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.
- 9.3. The council's most recent housing land supply position published in the SHLAA Update 2019 shows a five year housing supply shortfall of 1,200 (equivalent to 4.0 years of housing supply). As the council is currently unable to demonstrate a five year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 9.4. The site counts as a 'brownfield site', bringing the benefit of providing four additional housing units to the city, and contributing to the City's ongoing five year supply requirements. A net increase of four dwellings (such as that in this proposal) would represent a small contribution.
- 9.5. The property as existing comprises a two storey dwelling house. The proposed development seeks to increase the number of residential units at the site from 1 unit to 5 units.
- 9.6. Policy HO9 covers the conversion of a property into smaller residential units. Policy HO9 seeks to retain units of accommodation suitable for family occupation and resists the subdivision of properties to the lowest denominator. It notes there remains a high level of demand for family accommodation and it is therefore important to retain the existing stock of these dwellings. Planning permission will only be granted for conversions providing that the criteria set out in policy HO9 including:
  - a. the original floor area is greater than 115 sq m or the dwelling has more than 3 bedrooms as originally built;
- 9.7. The submitted floorplans attained from the 1997 planning permission show the existing property to comprise of 2 storeys with a total of three bedrooms and an original floor area of approximately 207sqm. In accordance with H09 this calculation does not include the extension at ground floor level to provide a larger kitchen and the addition of two bedrooms at first floor level (proposed under planning application BH1997/01381/FP) which are not considered to constitute original floorspace. Therefore the application site does accord with criterion (a).
  - b. at least one unit of accommodation is provided which is suitable for family occupation and has a minimum of two bedrooms;
- 9.8. The proposal would result in the creation of 2no 2-bed units at ground floor level and 2no 2-bed units and a studio flat at first floor level. All of the two bed units would be suitable for family occupation and with the ground floor two bedroom units being particularly suited to family occupation being of a good size and usability, with level access and with access to private outdoor amenity space, in accordance with criterion (b).

- 9.9. Criteria (c), (d) and (e) and (g) are considered later in the report.
- 9.10. Criterion (f) relates to properties which are listed and therefore is not relevant in the determination of this application.
- 9.11. The original house is over 115m, and at least one of the proposed units would be suitable as family accommodation and therefore the principle of the conversion is considered to be in compliance with the broad aims of Policy HO9.
- 9.12. City Plan Part One Policy CP14 outlines that residential development should still be of a density that is appropriate to the identified positive character of the neighbourhood and be determined on a case by case basis. In local character terms; the proposed use is residential and would therefore be in keeping with the character of the surrounding suburban area. It is acknowledged that the property would become a small flatted development on a street which currently comprises single dwellinghouses however flatted developments are part of the established character of Saltdean and the principle of introducing flatted developments amongst single dwellinghouses is well established. In compliance with CP14, the proposal would respect the established character of the neighbourhood; would include dwelling types and sizes that reflect identified local needs; the site is easily accessible by sustainable transport and it is well served by local services and community facilities.
- 9.13. City Plan Part One Policy CP19 outlines that to improve housing choice and ensure that an appropriate mix is achieved across the city. Paragraph 4.202 of the supporting text of the policy CP19 (Housing Mix) sets out that, 'the council gives a high priority to the importance of achieving a good housing mix and a choice of housing (in terms of types and sizes of accommodation) in order to meet the diverse accommodation needs of the local community'. The housing mix is proposed to be 4no two bed units and 1no studio units and whilst this does not achieve this identified mix the provision is acceptable. Two and three bed dwellings are in most demand within the city and as set out in the report the development aims provide for family accommodation. Four of the units are suitable for small family occupation and would represent a more affordable option for a small family. As such, the unit mix is considered acceptable and would meet the need in the city to provide more family housing, in accordance with policy CP19.
- 9.14. Accordingly, no in-principle objection is raised to the proposal, which is considered to be compliant with Local Plan policy HO9 and City Plan One Policies CP14 and CP19.

Standard of Accommodation:

- 9.15. Policy QD27 of the Brighton and Hove Local Plan aims to secure a good standard of living accommodation for current and future occupiers in all new developments. Accommodation should therefore provide suitable circulation space within the communal spaces and bedrooms once the standard furniture has been installed, as well as good access to natural light and air in each habitable room.



- 9.16. The 'Nationally Described Space Standards' were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. Although these space standards have not been formally adopted into the Brighton and Hove City Plan, they provide a useful guideline on acceptable room sizes that would offer occupants useable floor space once the usual furniture has been installed. The 'Nationally Described Space Standards' establishes the minimum floor space for a single bedroom as measuring at least 7.5m<sup>2</sup>, and a double bedroom should measure at least 11.5m<sup>2</sup>.
- 9.17. The following schedule of accommodation is proposed:
- (Unit 1) Ground floor front two bed unit with access to side patio area- 75sqm
  - (Unit 2) Ground floor rear two bed unit with access to rear patio area- 85sqm
  - (Unit 3) First floor rear two bed unit with balcony and access to communal garden- 61sqm
  - (Unit 4) First floor studio unit with balcony and access to communal garden - 39sqm
  - (Unit 5) First floor front two bed unit with balcony and access to communal garden - 70sqm
- 9.18. An amended plan was received during the course of the application to improve the layout of the first floor front unit by enlarging the living room area.
- 9.19. The submitted plans would provide a standard of accommodation which would be in line with the guidance set out in the NDDS standard of accommodation and would be adequate in terms of layout, circulation space and access to natural light and ventilation. It is acknowledged that the bedrooms within the two bed units at first floor don't exhibit a comfortable circulation space some with inward opening doors hindering this however the layout does provide for the provision of the necessary furniture. The size and layouts of the living spaces in all units, including the studio unit and the improved layout of the first floor front unit, would provide for a suitable standard of accommodation and would meet the needs of future occupiers.
- 9.20. The conditioned obscure glazing of the identified window openings at first floor level to the side elevations would not prejudice the standard of accommodation given that these are either non-habitable windows or secondary windows.
- 9.21. Policy HO5 requires the provision of private useable amenity space in new residential development. The scheme would provide a small communal garden of amenity space to the rear and 2no patio areas to the front and rear of the property for the ground floor units. The outdoor amenity spaces are considered sufficient for the scale of development and the upper floor flats also benefit from balconies and have access to the communal garden. Therefore the proposal is considered in accordance with policy HO5.

Design and Appearance:

- 9.22. City Plan Policy CP12 expects all new development to raise the standard of architecture and design in the city, establish a strong sense of place by

respecting the character of existing neighbourhoods and achieve excellence in sustainable building design and construction.

- 9.23. The building is currently vacant and under renovation with the current building (shell) complete in situ and with the application site itself a building site. The development would represent a significant improvement over the existing appearance of the site which has been that of a construction site for a period of more than twenty years. The existing building is a large two storey detached dwelling however its built form does sit appropriately within the plot and amongst a mix of bungalows and large two storey detached dwellings prevalent within the streetscene.
- 9.24. To the front elevation the installation of windows and glazed doors are proposed along with the installation of a balcony. To the front curtilage of the property, soft landscaping is proposed in the form of hedges atop low walls along the front of the proposed patio area and around the proposed refuse and recycling storage area. The proposed alterations to the side and rear elevations of the building comprise the installation of windows and glazed doors, and the installation of a rear balcony. An existing sheltered walkway to the western side elevation would be fully enclosed as internal space and with internal reconfiguration of the building to facilitate the conversion to flats.
- 9.25. The proposed alterations to the building would be relatively minor additions in comparison to the extant 1997 permission and would fit with the general fenestration pattern on the building. The provision of balconies, particularly to the front elevation, would be appropriate where balconies are a feature within many of the streetscenes of Saltdean. The front boundary treatment and landscaping of the site would be sympathetic and in keeping with the Eileen Avenue streetscene. The building would retain the overall form and scale of a single dwelling and the overall appearance of the development would result in no harm to the street scene or to the character of the wider area.

Impact on Amenity:

- 9.26. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 9.27. The proposal does not include additional bulk or massing and therefore the proposed alterations would not result in overshadowing, loss of light or loss of outlook.
- 9.28. The proposed balcony to the front elevation would provide views toward the dwellings across the road (set at a distance) and oblique views towards the driveways of the dwellings either side and therefore no loss of privacy would result. The proposed balcony to the rear would include privacy screening to the sides with views primarily across the garden of the application site and toward the rear gardens of the properties of Marine Drive (set at a distance) and therefore no loss of privacy would result. The balconies could provide views toward the rear of 15a and 15 Lenham Avenue to the east however these views

would be oblique and unobtrusive given the inclusion of privacy screening and the property set at an adequate distance/orientation. Given the size of the balconies it is not considered that the use of these by the occupants of the flats would result in harmful noise and disturbance to any further degree than the use of a garden.

- 9.29. The proposed first floor windows to the front and rear would not offer direct views into neighbouring windows and views from this level would already be attainable from the existing arrangement. The proposed ground floor fenestration pattern would not result in loss of privacy given the existing arrangement and adequate boundary treatment.
- 9.30. The window openings proposed to the first floor western side elevation would be as existing and therefore any views toward no.10 to the west would be as existing. However, to safeguard any increased perception of overlooking a condition has been attached requiring obscure glazing to the windows serving non-habitable rooms (unit 4 bathroom, Unit 5 hall).
- 9.31. The window openings proposed to the first floor eastern elevation would include 3no windows to the front projection in the location of existing openings and 2no windows to the rear part of the building to replace one window opening. These 2no windows would serve a bedroom and kitchen/living room for unit 3. It is acknowledged that these two windows would result in an increase in overlooking of the neighbouring property to the east no.6, however the views which would be available would be similar to that which the existing window provides. A condition has been attached requiring obscure glazing to the secondary kitchen/living room window and bedroom window for unit 3 to safeguard neighbouring amenity.
- 9.32. The use of the site would intensify through comings and goings, but it is not expected that the noise emanating from the residential use of the proposed flats would be materially harmful to neighbouring amenity. Whilst the increase in occupation would result in an increased number of movement in comparison to a single dwelling house it is expected that the occupants would likely come and go at different times of the day and the resultant level of activity would remain in keeping with the suburban residential character of the surrounding area.
- 9.33. Overall whilst there may be some limited impacts over and above those which (if occupied would already) exist at the site, the impact on amenity of neighbouring occupiers is not considered to be so detrimentally significant as to warrant refusal of the application.

Sustainability:

- 9.34. A refuse and recycling store is being provided close to the main entrance of the site which would be adequate for the scale of development. Refuse and recycling provision has been secured via condition.

Ecology:

- 9.35. Policy CP10 of the City Plan Part One seeks to ensure that all new development proposals conserve existing biodiversity, protecting it from the negative indirect effects of development including noise and light pollution.
- 9.36. The existing site does not show signs of any protected species being located on site and the proposal would not result in the loss of any mature trees. Overall, the proposal would not have any significant impacts on existing biodiversity on or off site.

Sustainable Transport:

- 9.37. The proposed change of use to 5 dwellings would generate additional trips to the site however these are unlikely to have a significant impact on the highway. The highway authority have requested a CIL contribution given the increase in trips which would be allocated towards footway improvements and dropped crossings.
- 9.38. The applicant is proposing 3 car parking spaces onsite for the 5 flats which means there could be overspill onto the highway. The site is not located within a CPZ and the highway authority consider that there is available parking on the nearby highway and therefore there is no objection on these grounds.
- 9.39. The existing crossover would need to be amended to accommodate the proposed parking area for 3 cars as the crossover appears only wide enough for 2 cars. The crossover condition has been attached to the permission to ensure this requirement is met.
- 9.40. The application proposes 10 cycle parking spaces at the rear of the site which is acceptable for 5 dwellings. The provision of cycle parking is acceptable however full details has been secured via condition.

Other Matters:

- 9.41. Issues have been raised through consultation regarding whether the building has been built in accordance with planning permission BH1997/01381/FP. The submitted existing plans for the current application show the building which is currently on the site. The LPA consider that the existing building/layout/construction has been in situ for more than 4 years so we can accept the physical alterations undertaken so far as the existing lawful situation and the applications has been assessed on this basis. Any development which has been in place for more than 4 years without obtaining the necessary consent is immune from any enforcement action by the Local Planning Authority under Section 171B (1) of the Town and Country Planning Act 1990.

Conclusion:

- 9.42. The scheme makes a small contribution to the Council's housing targets, provides an acceptable standard of accommodation and includes dwelling types and sizes that reflect identified local needs. There is not considered to be a significant impact on highways safety nor neighbouring amenity and the redevelopment of an (unused) site which has been under construction for a number of years is considered to be a positive improvement and therefore the application is recommended for approval subject to conditions.

**10. COMMUNITY INFRASTRUCTURE LEVY**

- 10.1. The team are currently investigating the potential CIL liability and this will be confirmed following discussions with the applicant post planning decision.

**11. EQUALITIES:**

- 11.1. Access standards are not sought on conversions.

