expires 17.11.09

Development Control – Delegated Officer Report

Application Number: ADC/0363/09 Recommendation - Approve

Site: **Community Room Prince Charles Close Southwick Brighton**

Proposal: **Change of use and conversion of terraced community building to a two-bedroom bungalow with wheelchair access (including front ramp)**

The Application

The application relates to the Prince Charles Close Community Hall, located in the middle of a terrace of bungalows within the central island of the Close.

The proposals are to convert the existing 89sqm community hall into a two bedroom dwelling. The existing building is arranged with the main hall area on the east of the building 6.2m wide running the whole depth of the building, with the existing entrance lobby, w.c. facilities and kitchen on the west.

The proposed conversion would retain the services on the west side of the building and the living accommodation would be located to the east. The separate ladies and gents toilets would be combined to make a single bathroom, the kitchen would remain in its current location adjacent to the back door, and the main function room would be subdivided into two rear bedrooms (retaining two of the three windows), with a lounge to the front. The front fenestration would be amended to enable access to the front patio area from the lounge and front door/lobby area. An accessibility ramp is proposed to the front door and lounge area from the hardsurfaced areas to the front.

Consultations and Representations

Adur District Council: The Environmental Health Officer has no objections to the proposals.

Third Parties: There has been one letter in favour of the proposals from the attached bungalow to the west (No.38), who states that they are all for it, as it will reduce the amount of disturbance from people misusing the forecourt.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH2, AH3, AH5, AB27, ACS5 and Appendix 11 'Supplementary Planning Guidance' comprising:-Development Control Standard No.4 ' Flat Conversions'.
PPS1 'Delivering Sustainable Development' (ODPM 2005)

PPS3 ' Housing' (DCLG 2006)

Planning Assessment

Policies
Policy ACS5 states that development involving the loss of an existing community facility will not be permitted. In this instance, the use of the community hall has been considered by Adur's Housing and Central Services Committee (Oct 2008), and it has been decided that as no viable long term tenant has been forthcoming (therefore ensuring the use and maintenance of the community facility and consequently making the building self financing), that the building be converted to a suitable residential dwelling for a council tenant(s), and form part of the Council Housing stock.

Recently permission was granted for the redevelopment of the Downsway Centre for residential use (ADC/0754/07), despite the lack of other community facilities in the northern part of Southwick. The Councils Housing and Central Services Committee have explored other options before coming to the decision to convert the building into residential use, and it is therefore considered that, a viable alternative community use cannot be found for the building. It is considered that the loss of the community hall would be offset by the addition to the Council's housing stock, and that an exception should be made in this case having regard to the need for additional housing.

The site is located within a residential part of the built-up area and the proposal constitutes redevelopment as provided for in Local Plan policies. There is no objection in principle to the development within the built-up area and, in order to meet the housing requirements of the approved South East Plan and Local Plan, a significant proportion of new housing development by way of 'unidentified' small infill sites is necessary.

Local Plan policy AH2 relates to new residential development (by way of infilling and redevelopment) and states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density, layout of buildings and hardsurfaced areas. Policy AH3 relates to a provision of 'Housing to Meet Local Needs' where social housing and low cost housing is a requirement as a proportion of all new housing development. Policy AH5 states that there will be a presumption in favour of the supply of dwelling units suitable for small households.

Government policy guidance PPS3 encourages best use of urban land for housing at higher densities (minimum 30 dwellings per hectare) and without rigid application of parking and amenity space standards.

Residential amenity – privacy and overlooking
The existing community hall has west facing windows serving the existing w.c.'s and kitchen at the rear, both of which look towards the rear elevation of

the attached dwelling (No. 38). Currently the windows which serve the proposed bathroom area are obscurely glazed and prevent direct overlooking of the rear bedroom of No.38. The kitchen has clear galzing, and whilst there would be some overlooking of the rear yard of No.38, views from the kitchen are oblique towards the rear of No.38 and it is not considered that there would be a loss of privacy as a result.

Residential amenity – proposed dwelling
The rear of the proposed dwelling is made up of a shared pedestrian access, via steps to an elevated public path to the rear of the terrace. Additionally another path runs just to the rear of all the bungalows allowing for public access. The steep incline at the rear forms the only area of relatively private outdoor space, and currently two sheds are located in this area. The applicant proposes to remove the sheds and landscape the terraced area as a high-level planting bed.

The frontage of the existing community hall is split into two defined areas, the open plan front garden area, which is grassed the same as the others in the terrace, and the level patio area just in front of the proposed lounge. The patio is enclosed by a dwarf brick wall and would effectively be the only outdoor amenity space for the occupier of the dwelling. Whilst there would be no identified private amenity area, the proposals would be no different to any of the other bungalows in the terrace which all have open plan frontages and very limited yards to the rear. The small rear yard area would not be sufficient for the occupiers demands for outdoor space, however despite the poor quality of amenity space, the front patio offers a better quality of outdoor amenity area than the adjacent bungalows, and is therefore considered acceptable.

The interior conversion of the community hall into residential accommodation complies with the Council's minimum standards in Development Control Standard No.4 'Flat Conversions', thus it is considered the resultant accommodation would be acceptable.

Visual amenity
The proposed use would result in little change to the physical appearance of the building. The lower fenestration panels will be changed to a coloured insulation panel that will be more in keeping with the surrounding dwellings. The proposed windows would be changed so the frames themselves are of a similar size to adjacent properties, and whilst the front patio area would appear a little stark, future occupiers could 'personalise' this area with pot plants etc to improve the appearance.

Access and parking
None of the adjacent bungalows within the terrace have their own off-street allocated parking, with there being ample on-street parking within lay-bys directly in front of the application site. The houses directly opposite have access to two off-street parking compounds which further reduces the on-street demand. The Councils Building Surveyor has stated that if the eventual occupier is disabled then a parking bay directly in front of the dwelling will be

specifically allocated to them. It is considered that the day to day demand of the residential dwelling would not exceed that of the use of the building as a community centre when it was in use and as a result identified parking would not be required in this instance.

Recommendation

APPROVE for reason that :-

Although the proposal involves the loss of a community facility which would normally be resisted under policy ACS5 of the Adur District Local Plan, the LPA is satisfied that such use is no longer viable and that an exception should be made. The proposed development is within the built-up area and would help meet the need for additional social housing without detraction from the existing local urban environment. It can take place without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB27, AH2-3, AH5)

Subject to:-

1. C1Ci
2. C12Ai (amended)
   ...for the external panels in the front elevation of the development has been submitted to and approved in writing by the LPA.

Case Offic [redacted]
Date: 12/11

ADUR
DISTRICT COUNCIL

Cabinet Member for Improved Customer Services
2 October 2008
Decision to be taken by 17 October 2008

Ward: Hillside

Key Decision: No

Prince Charles Close Community Hall

Report by the Executive Head of Adur Homes

1.0 Summary

1.1 This report considers the terms under which the Council would be willing to lease the community hall in Prince Charles Close, Southwick to an external organisation.

2.0 Background

2.1 The hall is currently used on a regular basis by the Prince Charles Close Playgroup and by an Independent martial arts instructor. Both of these pay a hire charge to the Council of £10.00 per session.

2.2 Unfortunately, the income from hiring out the hall is less than the cost of running it. In 2007/08, there was a deficit of approximately £850 (excluding the cost of officer time), even though the cost of repairs for that particular year was comparatively low by normal standards. With no other source of income, this shortfall has been funded from the Housing Revenue Account by default.

2.3 A report to the Housing and Central Services Committee on 20th November 2007 examined the options for making the hall viable and the Committee instructed officers to pursue an option of leasing the building, on a commercial lease and with full repair obligations, to one of the existing current users. In the event of this option being unsuccessful, it was resolved that the hall should be converted into Council accommodation.

2.4 Both regular users of the hall showed initial interest in taking on the lease but the martial arts instructor subsequently decided that the hall would not be a suitable venue from which to conduct all of his classes.

2.5 Advice was sought from the Council's Estates Section on the terms of the lease and it was recommended that the Council charge a rent of £1,750 per annum, with the lessee being responsible for all repairs, insurance and utility bills.

2.6 After considering these terms, the playgroup offered to take on the lease but only at a rent of £1,400 per annum and with the Council continuing to pay for all repairs and building insurance.

2.7 This offer was discussed at a meeting of the Asset Management Working Group on 4th June 2008, where it was agreed to seek advice from the Community Wellbeing Manager on what assistance (financial or other) could be available to the playgroup.

2.8 A meeting with the Community Wellbeing Manager took place on 1st July 2008 in which she advised that Community Wellbeing is not in a position to subsidise the running of community halls. Moreover, the community halls for which her section are already directly responsible are now being offered on similar full repairing leases.

2.9 She also advised that while funding from external sources may be available for a community association who run a playgroup, this is not likely to be forthcoming for groups that are primarily run on a commercial basis.

3.0 Proposals

3.1 Since neither the majority of Prince Charles Close residents nor the users of the hall are now council tenants, it is inappropriate to continue funding the shortfall from the Housing Revenue Account.

3.2 The terms of the lease should therefore require the lessee to take on full repairing and insuring responsibilities for the hall.

3.3 The playgroup has indicated that it would not be viable for them to take on the lease on these terms but the Council are not in a position to negotiate on continued subsidising of the hall from the Housing Revenue Account. It is therefore proposed that the playgroup be given the option to reconsider their offer before a decision is finally made on the future of the hall.

3.4 The alternative option for making the building self-financing would be to increase the charge for hiring the hall. To meet the average annual repair costs, current utility services costs and a notional market rent of £1,750 per annum, it would be necessary to increase the hire charge to approximately £25 per session. However, as it is already difficult to let the hall at £10 per session, an increase of this size is likely to result in even fewer bookings and therefore still not achieve the Council's goal of making the hall self-financing. Charges would also need to be regularly reviewed to take account of rising utility bills and other costs.

3.5 If agreement cannot be reached, it is proposed that plans should be drawn up to convert the building into Council accommodation. In this case, the current users should be advised that the hall will not be available for hire from 1st August 2009. This will allow them time to find alternative accommodation.

4.0 Legal

4.1 The Council has a legal duty to ensure that Housing Revenue Account assets and funding are not used for any purpose other than for that which they were originally intended.

5.0 Financial Implications

5.1 As set out in section 2.0 of the report.

6.0 Recommendations

6.1 The Cabinet Member for Improved Customer Services is recommended:

i) to reject the terms offered by the playgroup for taking on the lease.

ii) to agree that officers should enter into discussions with the Prince Charles Close playgroup organisers to determine a full repairing and insuring lease in line with the terms set out in section 2.5 of this report.

ii) if agreement on these terms cannot be reached by 28th November 2008, to approve that officers advise users that the hall will no longer be available for hire from 1st August 2009 and to instruct officers to draw up plans to convert the building into Council accommodation.

Local Government Act 1972
Background Papers:

Housing and Central Services Committee – 13 September 2005
Housing and Central Services Committee – 20 November 2007
Housing and Central Services Committee – 4 March 2008

Contact Officer:

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Schedule of Other Matters

1.0 Council Priority

1.1 To put the customer at the heart of our business and to deliver services as efficiently, effectively and economically as possible.

2.0 Specific Action Plans

2.1 To make best use of an under-utilised council asset.

3.0 Sustainability Issues

3.1 Well maintained and properly managed communal facilities may contribute towards a sustainable community.

4.0 Equality Issues

4.1 Present funding arrangements penalise council tenants at the expense of those living in other forms of tenure.

5.0 Community Safety issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 While the concept of community facilities is often quite popular, this hall is under utilised and does not make best use of Council assets.

8.0 Consultations

8.1 Consultation is on-going with facility users.

9.0 Risk assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership working

12.1 Matter considered and no issues identified.