
Appeal Decision

Site visit made on 24 April 2023

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 12 May 2023

Appeal Ref: APP/T1410/W/22/3307868

Keller House, 52 Carew Road, Eastbourne BN21 2JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Harwood against the decision of Eastbourne Borough Council.
 - The application Ref 211068, dated 20 December 2020, was refused by notice dated 1 April 2022.
 - The development proposed is change of use from rest home (Class C2) to a single dwellinghouse (Class C3).
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Decision

1. The appeal is allowed, and planning permission is granted for change of use from rest home (Class C2) to a single dwellinghouse (Class C3) at Keller House, 52 Carew Road, Eastbourne BN21 2JN in accordance with the terms of the application, Ref 211068, dated 20 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, JH1, JH2 and JH3.
 - 3) The spaces that have been laid out within the site in accordance with drawing number JH3 for two bicycles to be securely stored and for two cars to be parked shall thereafter be kept available at all times for the storage of cycles and the parking of vehicles respectively.

Main issues

2. The main issues are the effect that the proposed development would have on:
 - the character and appearance of the surrounding area, and
 - the living conditions of the future occupiers regarding internal space standards, and daylight and sunlight.

Reasons

Character and appearance

3. The appeal site is situated within a mainly residential area on the roughly north side of Carew Road, where the landform slopes steeply down from roughly south west to north east. The detached front gabled late Victorian style appeal building is 2 storeys at the front, and, with the later extension partly under the

rearmost part of the original dwelling, it is 3 storeys at the back. The appeal building was built as a dwelling, and, as one in a row of roughly 10 similar detached dwellings, it makes an important positive contribution to the Carew Road street scene, and to the character and appearance of the locality. There are some later flats developments further east and west beyond the row. However, few of the dwellings in the row appear to have been split into flats, and, whilst most include on-site parking, their boundary walls and hedges, which are important to the local character, remain largely intact.

4. The appeal building was once a well-proportioned dwelling, but it was compact, and the skellings in its upper rooms confirm its relatively modest scale. Its conversion to a care home in around the 1980s included some unsympathetic partitioning of larger rooms to create more smaller rooms, lengthy narrow and/or poorly lit circulation spaces, and poorly proportioned lobbies, bathrooms, and other facilities. The steeply downward sloping back garden would be barely usable by residents with limited mobility, and it weighs against the potential for further extensions. So, whilst the building's conversion to a care home may once have been acceptable, it would be unlikely to meet current standards or to operate efficiently or viably as a care home today.
5. Few details of the efforts made to market the building as a care home have been put to me. However, having regard to the site specific circumstances, including the scale of the site, and the important contribution that the existing building makes to the locality, the building or its redeveloped site would be unlikely to be suitable for a viable care home business.
6. As the building has been unoccupied for over 5 years, the building fabric is decaying. Without an active use the building's condition will continue to decline. However, most of the character and appearance of the original dwelling has endured, and the proposed change in the use of the building back to a dwelling would sustain its positive contribution to the sense of place.
7. The Council would prefer for more new dwellings to be provided at the site. However, as the division of the building into 2 or 3 flats would be likely to add to the existing conversion's shortcomings, and to increase the need for on-site parking and other facilities to the detriment of the local character, they would not be likely to make more efficient or effective use of the site. By contrast, the proposal would provide a good sized family home and garden within the reasonably accessible Upperton neighbourhood, the appellant is willing to invest in the deteriorating building now, and there are no other proposals for the building and/or its site before me.
8. Therefore, I consider that the proposed development would not harm the character and appearance of the surrounding area. It would satisfy Policy D7 of the Eastbourne Core Strategy Local Plan (CS) which aims to only resist the loss of health facilities which meet current needs, CS Policy B2 which seeks to support sustainable neighbourhoods, Policy HO2 of the Eastbourne Borough Plan (LP) which aims to permit new homes within predominantly residential areas, LP Policy HO9 which aims to permit the change of use of non-residential premises to residential use, and LP Policy UHT1 which seeks to make the most effective use of the site with the highest density appropriate to the locality. It would also satisfy the National Planning Policy Framework (Framework) which aims to maintain a strong sense of place, to significantly boost the supply of homes, and to support the development of under-used buildings.

Living conditions

9. The Council considers that 6 of the bedrooms shown on the plans would be double or twin rooms, and that the width of 2 of them would be less than the minimum sought by the Technical housing standards – nationally described space standard (THS). As there is nothing to show that those 2 rooms would include more than one bed space their width would be acceptable.
10. The 2 lower ground floor bedrooms would be solely lit by roughly north facing windows, so those bedrooms would receive little sunlight. However, due to the proportions of those rooms and the scale and siting of their windows, they would receive sufficient daylight, and their future occupiers would be able to enjoy an open outlook over the back garden. The other bedrooms would satisfy the THS and could be suitably furnished. There would also be ample room, and reasonable daylight and sunlight, for the future occupiers within the good sized kitchen, dining room, lounge and conservatory.
11. Thus, I consider that the proposed development would not harm the living conditions of the future occupiers regarding internal space standards, and daylight and sunlight. It would satisfy the Framework which seeks a high standard of amenity for existing and future users.

Conditions

12. The Council's suggested conditions have been considered and reworded in the light of Framework paragraph 56 and Planning Practice Guidance. In addition to the standard implementation condition, the condition identifying the approved plans is necessary to provide certainty. As there is adequate provision for the parking of cars and bicycles at the site, the 2 suggested conditions have been combined. The part of that condition relating to cycle parking is reasonable to promote the use of sustainable transport modes, and the part relating to car parking is necessary in the interests of highway safety.

Conclusion

13. I have found that the proposed development would satisfy the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not indicate a determination otherwise.
14. For the reasons given, the appeal should be allowed.

J Reid

INSPECTOR