

Proposed change of use from social club to 3 no. residential units, including alterations to rear projection, hip to gable roof extension to rear, addition of dormers, and associated works

Lewes Working Men's Club, Malling Street, Lewes, BN7 2RJ

Planning Statement



**Prepared on behalf of David Winter
February 2024**



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1.0 Introduction

- 1.1 This statement has been prepared on behalf of our client, Mr David Winter, to support the planning application for the change of use of the club house (Use Class F2(b)), to form three new dwellings (C3) and associated works at the site of the former Lewes Working Men's Club on Malling Street, in the northern part of Lewes.
- 1.2 The statement should be read in conjunction with:
- Drawings for the proposed development prepared by Alistair Dodd Consulting
 - Odour Assessment Report, prepared by Phlorum Ltd
 - Noise Impact Assessment prepared by Phlorum Ltd
 - Flood Risk Assessment prepared by GTA Civils and Transport (January 2024)
- 1.3 This statement will set out how the proposals are supported by planning policy and other relevant material considerations. The site history itself, as well as the pattern of recent developments in the area immediately around the application site demonstrates that residential use is suitable for the site. Technical reports have been provided to support the application and set out that there are no constraints for the development to proceed as proposed.
- 1.4 The plans set out here are an amendment to the recently approved scheme (under planning application reference SDNP/20/04725/FUL). The revised scheme proposes an alternative internal layout to create one additional dwelling unit within the building, with a modest increase in the level of occupancy of the building as a whole. The revised scheme also proposes only modest alterations to the external appearance of the building and the approved scheme, as well as a different layout of amenity space within the grounds around the building.

2.0 Site Location and Context

- 2.1 The site is approximately 0.04 hectares in extent, and is set in an urban location within the town of Lewes. The property is adjacent to a BP Petrol Station to the south, and the former Chalk Studios (offices, now closed) to the north. With the closure of the Chalk Studio offices, which it is understood will be subject to an application to convert into residential use, and the existing residential properties in the locality on Malling Street and surroundings, and permissions for the change of use of former offices at the rear of Malling Business Centre, the site is emphatically within a residential area. The form and appearance of residential accommodation in the area is highly varied, with a mix of roof forms and materials visible, purpose built housing and converted business use buildings, and a wide range of ages of the buildings within the vicinity of the application site.
- 2.2 The site itself comprises the former Lewes Working Men's Club which has been vacant since 2018. The property is located on Malling Street which is a busy road running from the Cuilfail Tunnel around the east side of Lewes, and serves other residential areas as well as providing links to the north.
- 2.3 The site is located within the development boundary of Lewes and is located in the South Downs National Park. There are four nearby listed buildings, located on the other side of Malling Street, and which are not in the immediate vicinity of the application site. These are "123 Malling Street" which is approximately 30 metres away, "Coombe House" which is approximately 45 metres away, "107, 109, 111 Malling Street" which is 65 metres away and "The Master's Manor" which is approximately 75 metres away. All of these are Grade II Listed Buildings.
- 2.4 The site is not within a Conservation Area. There is a Site of Special Scientific Interest to the west of Malling Street, "Malling Down SSSI" and the site is within the Brighton and Lewes Downs Biosphere Reserve.
- 2.5 The site is well located for access to services and facilities with several supermarkets in close proximity, and the town centre also very close with a range of other services and facilities including restaurants, public houses, schools and other recreational facilities.
- 2.6 The application site is also well connected for public transport with nearby bus stops served by local routes including links to the train station (which is less than a mile away by bike

or foot). The bus stops also provide access to routes to other towns including links to Brighton, Eastbourne, Uckfield, and Tunbridge Wells. These links allow public travel throughout the wider locality and beyond.

2.7 The application site is shown in the context of its surroundings in the image below.



Location of the application site highlighted in red, with former office buildings to the north and west, and the petrol station to the south.

2.8 Images of the building itself are included below.



Application site - front elevation as seen from the east side of Malling Street



Application site – front and north elevation as seen from the west side of Malling Street adjacent to the site



Application site north elevation

3.0 Site History

- 3.1 The application site has a previous planning permission under application reference SDNP/20/04725/FUL for the "*Proposed change of use from social club to 2 no. residential units, including alterations to rear projection, hip to gable roof extension to rear, addition of dormers, and associated works (Amended Plan / Amended Description).*" The application was approved on the 4th November 2022, with a number of conditions including pre-commencement conditions requiring the approval of a Flood Risk Assessment, and for a landscaping scheme.
- 3.2 The current application is very similar to the approved scheme but alters the layout of the accommodation to provide an additional dwelling with revised access and outdoor amenity space layout, with a slight increase in the number of people likely to be accommodated there.
- 3.3 Prior to that approval, there had been a refused application under reference SDNP/18/05416/FUL for the "*Conversion of club house together with the formation of an additional floor with raised roof to form 2x dwellings and associated works including vehicle access.*" This application was refused for the following reasons:
- "2. *The proposed access at its junction with A26, has substandard visibility, highway hazards would be introduced by the additional slowing, stopping, turning and reversing traffic which would be created and would therefore be contrary to paragraph 109 of the National Planning Policy Framework and ST3 of the Lewes District Local Plan and SD21 of the South Downs Local Plan (Pre-submission).*
 3. *The proposal would introduce hazards at this point of the A26, by the slowing, stopping, turning and reversing traffic which would be created and would therefore be contrary to paragraph 109 of the National Planning Policy Framework and ST3 of the Lewes District Local Plan and SD21 of the South Downs Local Plan (Pre-submission).*
 4. *The proposal does not provide for adequate parking facilities within the site which would result in additional congestion on the public highway causing interference with the free flow and safety of traffic on the A26 and would therefore be contrary*

to paragraph 109 of the National Planning Policy Framework and ST3 of the Lewes District Local Plan and SD22 of the South Downs Local Plan (Pre-submission).

5. *The proposed development, by virtue of the proximity to site boundaries, and cramped amenity space, would fail to provide an adequate environment for future occupiers, contrary to Policy ST3 (Design, Form and Setting of development and CP11 (Built & Historic Environment) of the Lewes District Local Plan and SD5 (Design) of the South Downs Local Plan (Pre-submission).*

6. *The location of the two dwellings directly adjacent to the petrol filling station and the A26, would be prejudicial to the amenity of future occupiers due to noise and odours, contrary to Policy ST3 (Design, Form and Setting of Development) and CP11 (Built & Historic Environment) of the Lewes District Local Plan and SD5 (Design) of the South Downs Local Plan (Pre-submission)."*

3.4 Prior to this there was no planning history subsequent to the site coming under the South Downs National Park Authority as the responsible planning authority. Previous decisions were taken prior to the establishment of the National Park Authority, under Lewes District Council. The planning history during this period relates to the establishment of the former Working Men's Club in 1978 (LW/78/1102) and subsequent minor modifications of the premises.

3.5 The current proposals have adapted the approved application SDNP/20/04725/FUL, taking as a starting point an understanding that the principle of residential development is acceptable on the site.

3.6 Other nearby sites have been approved for conversion to dwellings, which establishes the precedent for additional residential use in the area, and raises similar issues with regard to flood risk. Under planning reference SDNP/21/03967/PA30, offices immediately to the north, and contiguous with the application site were approved for conversion to 5x C3 dwellings in December 2021. The potential flood depth identified for this development is at 1.63m depth – 0.13m greater than the building subject to this application. This development was allowed on condition that the sleeping accommodation is limited to the first floor.

4.0 Planning Policy

Development Plan

- 4.1 The relevant documents that comprise the development plan are:
- The South Downs Local Plan (2019)
- 4.2 In addition to these documents, there is also a need to consider relevant Planning Policy contained within the National Planning Policy Framework (December 2023) (NPPF), National Planning Practice Guidance (NPPG) and the Lewes Neighbourhood Plan (April 2019).

National Planning Policy Framework

- 4.3 The NPPF opens by defining how sustainable development will be achieved, including supporting applications that promote economic and an environmental benefits. Paragraph 11 states:
- "Plans and decisions should apply a presumption in favour of sustainable development.*
- [...]*
- For decision-taking this means:*
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*
- 4.4 The NPPF contains guidance specifically relevant to the delivery of housing in section 5 paragraphs 60 – 81. Paragraph 70 indicates that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built- out relatively quickly.

- 4.5 Paragraph 108 is concerned with promoting sustainable transport, confirming that transport issues should be considered from the earliest stages of plan-making and development proposals.
- 4.6 Paragraph 109 builds on this, advising that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.
- 4.7 Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.8 Paragraph 123 refers to the need for planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 builds on this, by stating that planning decisions should support the development of under-utilised land and buildings.
- 4.9 Paragraph 135 deals with design of new development and confirms that planning policies and decisions should ensure that developments: add to the quality of an area; are visually attractive; are sympathetic to the character and history of the area; maintain a sense of place and; optimise site potential and support local facilities and transport networks.
- 4.10 Paragraph 165 confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere
- 4.11 Paragraph 182 relates to the acceptability of development when located in sensitive locations such as National Parks, including conservation of cultural heritage.

South Downs Local Plan

- 4.12 The SDNP Local Plan includes a number of policies that would be considered relevant to the proposed development.

- Policy SD1: Sustainable Development, takes a position in favour of sustainable developments, which promote the purposes of the National Park, and conserves the landscape, wildlife and heritage of the park.
- Policy SD2: Ecosystem Services which requires development to have an overall positive impact on the ability of the natural environment to 'contribute goods and services'.
- Policy SD4: Landscape Character requires that development conserves and enhances landscape character
- Policy SD5: Design requires high quality locality sensitive design that respects landscape character.
- Policy SD6: Safeguarding Views, requires that development should not harm the views within the landscape of the National Park
- Policy SD19: Transport and Accessibility requires that development be located so as to minimise the need for travel, and promotes use of sustainable transport.
- Policy SD25: Development Strategy sets out that the principle of development within certain settlements would be supported providing that it is of an appropriate scale, and makes the most efficient use of land, particularly previously developed land. Lewes is included in the list of relevant settlements.
- Policy SD26: Supply of Homes sets out the delivery figures within the SDNP, of 4750 net additional dwellings, 875 of which should be in Lewes.
- Policy SD49 : Flood Risk Management steers development away from areas of flood risk wherever possible and requires it to not increase the risk of flooding elsewhere and reduce overall flood risk.
- Policy SD54: Pollution and Air Quality, provides that development will be permitted subject to ensuring that levels of pollution and air quality do not adversely affect people now or in the long term

5.0 Proposed Development and Planning Assessment

Principle of Development

- 5.1 The current application is for the conversion of the former Working Men's Club into 3 residential units. The principle of development, for the conversion of this building into residential use has been established by the approval granted under planning application reference number SDNP/20/04725/FUL which allowed for a change of use to two residential units.
- 5.2 The unit at the rear (western) end of the building would be arranged over two floors, and is unaltered from the previously approved scheme. The changes from the approved scheme are the subdivision of the forward (eastern) residential unit into two residential units, arranged such that each is a two storey dwelling, with access for each separated with the middle dwelling being accessed from a path to the south of the building, while the front (closest to Malling Street) dwelling being accessed from the doors on the front elevation of the building.
- 5.3 The current proposals would amend the approved plans by the provision of additional bedrooms within the overall development – two bedrooms in each of the dwellings formed by the subdivision of the previously approved dwelling. Each of the newly formed bedrooms in the subdivided properties would be capable of serving as a double bedroom. The net result would be only a modest increase in the level of potential occupancy of the site.
- 5.4 A more detailed analysis of the room sizes and compliance with the Nationally Described Space Standards is set out below. However, the consideration here for assessing the principle of development is that the site can comfortably accommodate the level of occupancy proposed and there should be no concern that the application represents overdevelopment of the site.
- 5.5 The proposed increase in the number of units would contribute to the provision of housing within Lewes and within the South Downs National Park, without any increase in land used or other environmental or local impacts. While the South Downs National Park Authority does not have a Housing Land Supply figure as other surrounding district councils do, it is recognised that at the time Lewes District Council (LDC) adopted their Local Plan in 2016, it was unable to meet its Objectively Assessed Housing Need, in part due to the constraints

on the available land as a result of the South Downs National Park boundary running through the district. It remains the case that LDC cannot meet its Local Housing Need today, even taking into account the constraints arising from the SDNP boundary. While the additional unit of accommodation would not contribute to the ability to meet housing need targets, it is nonetheless considered that an additional unit of accommodation in this building would benefit the population of Lewes. It would also be aligned with paragraph 123 of the NPPF that promotes an effective use of land in meeting the need for homes while safeguarding and improving the environment and ensuring safe and healthy living conditions. The proposed development is consistent with the criteria set out in policy SD25 of the SDNP Local Plan.

Design

- 5.6 The proposed development is similar to the scheme approved under SDNP/20/04725/FUL. Externally, the only alterations to the building itself, when compared with the approved scheme, would be the addition of one small dormer on the southern roof elevation, and a new door opening on the ground floor of the southern elevation to provide access to House 2. The additional dormer can in fact be considered as an enhancement of the appearance of the approved development by utilising a vacant part of the roof and establishing a stronger sense of pattern, symmetry and coherence to the appearance of the building. The additional door would not be very visible due to being obscured by the buildings to the south on the Petrol Station site.
- 5.7 The totality of the changes proposed, which as set out above have in the main already been approved (other than the single additional dormer and new door), is the addition of dormers on both the north and south facing elevations, an extension/continuation of the existing roof and ridge by a small degree to the west, and an alteration to the footprint of the single storey element at the south western corner/boundary of the site.
- 5.8 To reiterate, the external alterations to the building proposed here have all been approved in the previous application, other than the single additional dormer and new door. It is considered that the same considerations should be applied to the design elements of the building, and that given what has already been approved, the sole consideration for this application is whether the single additional dormer and new door on the south elevation would cause harm to the appearance of the building.

- 5.9 There are minor alterations proposed for the external spaces of the development, with a different configuration of internal boundaries within the outdoor amenity space to mark out areas for private use as well as separating out areas for cycle storage and bin stores. However, these are minor alterations and do not fundamentally alter the appearance of the building or its relationship to the street, so should not be considered as harmful to the development. The proposed development is therefore of a scale and nature appropriate to the character and function of the settlement in its landscape context in accordance with Part 1a) of Policy SD25.

Transport and Highways

- 5.10 The highways consideration also remains largely unaltered, as although the proposals would provide accommodation for a slightly increased number of occupants, the proposed development would remain 'car free' and no parking spaces are provided that could cause highways access issues. The property is within Controlled Parking Zone C and any future parking demand would be managed by the East Sussex County Council Permit Management arrangements, for which there is currently no waiting list. This indicates that the site is in a low stress area in terms of resident parking demand.
- 5.11 As set out above, the development site is within easy reach of the town centre by foot or cycling, and there are a number of public transport options. Future occupants would have plenty of choice to meet their travel needs, including active travel, without recourse to a private vehicle. This approach accords with Local Plan Policy SD19.
- 5.12 Cycle storage will be provided sufficient to accommodate the cycle storage needs of each dwelling, and meet the required standards for a development of this scale.

Housing Mix and Standard of Accommodation

- 5.13 The proposed development would provide 3x two-storey two-bedroom units. The minimum floor space required for accommodation of this type as set out in the guidance provided by the NDSS would be 79msq, so the proposed layout comfortably meets that threshold for each of the dwellings, as set out below.

- 5.14 House 1, at the western end of the proposed development, would be arranged over 2 storeys with a total of 89msq in the development which exceeds the expectations of the NDSS for a dwelling of this type. There would be lounge, kitchen and dining area on the ground floor with additional utility space and a downstairs toilet, while the first floor would provide a communal bathroom, two double bedrooms, one of which would be *en suite*. In addition, this unit also has private amenity space to the side and rear of the property of approximately 30msq, including space for storing two bicycles. House 1 would be accessed by means of a path that runs along the northern boundary of the site from the street.
- 5.15 House 2 would occupy an area of 118.8msq, which significantly exceeds the requirements of the NDSS. The dwelling would provide a large open plan kitchen/diner/lounge area occupying the ground floor, with an additional utility room and larder at the south. The first floor would provide two bedrooms (one of which would be *en suite*), a communal bathroom, and a small study. Access would be via a new opening at the south of the building, midway along the length in a position that would not be widely visible to the public realm due to surrounding buildings and orientation. The dwelling would benefit from a private garden to the front and space to the side of the building.
- 5.16 The final unit, House 3, would provide a bathroom and utility rooms, accessed to the sides of the entrance hallway, with further access ahead to the main living area which provides a kitchen/dining area at the south, and living rooms to the north of the building. The first floor would provide two bedrooms and a communal bathroom. The house would provide 92.9msq of accommodation, comfortably exceeding the requirements of the NDSS. The house would be accessed via the existing main front entrance, re-establishing the primacy of this entrance as it was used in the original function of the building.

Amenity

- 5.17 All rooms, whether communal or private bedroom, throughout the building would benefit from natural light, which provides a good level of amenity of any future occupants. The *en suite* and bathroom on the first floor of the House would have natural light from a rooflight, all other first floor windows would be dormers.
- 5.18 The path at the northern boundary, would be used for access to the rear house, and the First Floor Flat, and runs past the Ground Floor Flat. The use of this path for access was approved in the previous application. The level of usage would not increase along this

route despite there being an additional property, as the access to House 2 would be relocated to the southern side of the building, and House 3 would be accessed via the front. The use of the southern side to access House 2 would reduce impact relative the approved access along the north, as the proposed path there is separated from the windows by a fence line, so passing residents would not be as close to the windows as might otherwise have been possible via the unrestricted northern access route. Although there would be a slight increase in potential occupancy, with the additional room provided by the proposed amended layout, this would not be significant and the degree of additional disturbance that could be experienced as a result is not considered to be harmful to future occupants of the amended scheme. The most sensitive areas of the proposed accommodation – sleeping accommodation – would be all on the first floor, so less vulnerable to the impacts of passing neighbours.

- 5.19 In addition, it is also recognised that the conditions for the approved scheme under SDNP/20/04275/FUL included a requirement for an internal noise survey to be undertaken prior to occupation, to demonstrate that the amenity of future occupants would not be harmed as a result of noise from external sources. It is anticipated that a similar condition would be applied to a permission given to this application, by which mechanism the acceptability of the impact on future occupants of the amended scheme would also be demonstrated.
- 5.20 The level of use of the site will not vary significantly from the approved scheme and the impact on the amenity of neighbours would not materially alter as a result of a marginal increase in occupancy levels.

Flood Risk

- 5.21 One of the conditions applied to the previous planning application was the requirement to provide, prior to commencement, a Flood Risk Assessment, to address the issue of the building being in Flood Risk Zone 3, and so at the risk of fluvial flooding via the River Ouse.
- 5.22 Given the emphasis that was placed on the need for a Flood Risk Assessment for the approved development, this has been carried out in advance of submitting the revised application, to assist in the decision making process. The FRA assesses the level of risk, identifies aspects of the proposed development that are vulnerable and those which offer resilience, and sets out appropriate mitigation measures that the existing building allows,

and those which could be incorporated as part of construction of the approved scheme. The FRA also sets out measures that form a Flood Risk Management Plan, to afford the greatest protection to any possible future occupants of the site.

- 5.23 The FRA establishes that as a Change of Use application, the assessment need only consider 'appropriate flood mitigation', and 'safe access/egress to/from dry land'. The site is assessed to be at high risk from susceptibility to 'fluvial and reservoir flooding'.
- 5.24 The property is identified as being at risk of external flood depths of 1.5m, and internal depths of 1.47m. There is limited scope for ensuring that the ground floor level is above the critical depth as the existing fabric of the building is set. However the ground floor will be raised by 70mm internally giving a predicted internal flood depth of 1.4m. That height with existing standard construction methods is too great for a resistance/barrier system as the resultant water pressure would be too great for the existing structure to support.
- 5.25 As a result of the above, it is recommended that internal construction up to a height of 1.7m will be carried out using flood resilient materials and techniques. This can include waterproof screed and durable flooring with integral skirting and waterproofing up to the critical level; routing electrical supplies down from the ceiling; plasterboard installed horizontally; and wood fixings below critical level to be resilient and with protective coatings. Boilers and meters will be installed above critical level, and foul sewers will be fitted with non-return valves.
- 5.26 Other measures will also be recommended, including low level (up to 0.6m) barrier systems on all doors for less severe flooding incidents. Safe access to dry land in extreme events is addressed in a Flood Risk Management Plan including raising awareness, early warnings, and personal plans for evacuation ahead of incidents. In the event that occupants are unable to avoid the maximum flood heights, safe refuge is available on the first floor.
- 5.27 While the property is in a high risk flood zone, measures to minimise risks and harms are available, and the development would not increase flood risk for others in the area as there would be no additional footprint.
- 5.28 The proposed development is set in an area that has seen many recent approvals for new residential units in converted buildings - some of which are set out in the planning history section of this statement. The flood depth described for those applications at 1.63m is greater than what would be experienced by the current proposals. As the principle of

development has been already approved for this development, and there is recent precedent for other new residential with similar risk profiles, it is considered that the flood risk element of this proposal can also be seen as acceptable and the proposal complies with Policy SD49 and paragraph 165 of the NPPF.

6.0 Summary

- 6.1 The arguments set out above establish that the proposals differ very little from the approved scheme under application reference SDNP/20/04725/FUL. In that context, consideration of this application can effectively be limited to the points on which there are differences. Specifically, the differences are a minor alteration to the southern roof slope with a single additional dormer, a new door opening on the southern ground floor elevation, and an internal reconfiguration to allow for an additional unit of accommodation. This revised layout would allow for a modest increase in occupancy levels.
- 6.2 The new proposed external alterations to the building are extremely limited in extent and rather than cause harm to the appearance of the building, the additional dormer could be seen to be an improvement on the former approved scheme, while the new door would not be visible from the public highway.
- 6.3 The additional dwelling would result in an increase in available accommodation in Lewes, but would not significantly increase the intensity of use of the site to the extent that it can be considered over developed, or to cause harm to the locality, neighbours or future occupants.
- 6.4 Given the case set out in this report, and the requirement of paragraph 11 of the NPPF, we conclude that the application for the conversion of the former Working Men's Club into three units of residential accommodation is a sustainable form of development and should be approved.