

Alterations to form 8 flats on ground, first floor and new second floor (with Portland Town Council function relocated to lower ground floor), including parking provision at Hambro car park (Revised Scheme) - Council Offices, Fortuneswell, Portland

(Weymouth & Portland Borough Council [Property Services]) **FOR DECISION**

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## **PROPOSAL**

This revised application proposes the conversion of the existing Council offices building into 8 flats with the retention of accommodation for Portland Town Council on the lower ground floor.

The accommodation for the Town Council comprises reception/waiting area, store, office, meeting room/office and conference chamber facilities. The latter having sufficient room for a large table seating 16, as well as two rows of public seating. This Town Council element would be accessed from an existing door at the rear of the building.

The proposed flats would be accessed from the front of the building and the scheme proposes 3 one bedroomed flats and a studio flat on the upper ground floor, and a further studio flat and 3 two bedroomed maisonette flats on the first floor, with the kitchen and lounge elements of these two bedroomed units being accommodated within a new glazed roof extension to be constructed on the existing flat roof above.

One disabled car parking space is shown on the frontage, with bin, cycle and other storage facilities identified at the rear of the building. In addition, the application proposes to provide 8 additional car parking spaces in the nearby Hambro Car Park.

The new second floor would be structurally self contained with a rigid base. It would rise approximately 2.1m above the existing parapet level and would be visually and structurally light. Corner treatments will be in Portland stone to match the original building and the remainder will be glazing some of which will have cladding behind, with some doors on the north west side to the small area of roof behind the parapet.

To support the application, the applicant has advised that in their view this change of use to mixed civic and residential use would provide a new lease of life for this already developed site. They consider that it would provide an attractive and interesting place to live, reduce the need for development on greenfield sites and prevent the building from further deteriorating into an "*empty run-down eyesore*".

After moving the Portland Council function to the ground floor, (which is required to meet DDA requirements), the scheme will secure 8 new dwellings.

It is their view that, whilst the development is not large enough to trigger the requirement for 'affordable housing', the addition of the new second floor would give the larger flats panoramic views of Lyme Bay and Portland Harbour, which they consider would generate the kind of financial return that would be required to fund the provision of the potentially 'low cost' (i.e. the one bedroomed and studio) units, that would be attractive to newly forming households. They have advised that the involvement of any social housing provider will be the subject of a future decision by the Council's Management Committee, in the light of previous agreements that the Council will look at its own land holdings with a view to identifying and disposing of them as affordable housing.

It is their opinion that the needs of the residents of the development will be well supported. They consider that there is little opportunity to make changes to the external layout of the building or movement of people through the site. They have emphasised that this building has; good public transport links, is near a public car park and has very good local access to a range of shops and services. They also point out that there is ample exterior space for two secure stores, lockable storage for at least 16 cycles (to be shared between the residents and users of the council offices) and bin storage.

They point out that one or two cars are often squeezed in at the front North side of the building. As part of the proposed improvements to the accessibility of the building, and in line with the requirements of the Building Regulations, a single accessible parking bay or drop off zone would be provided on this area, which they consider would reduce on site parking to very occasional use by disabled people only and thus reduce the likelihood of clashes between cars and pedestrians, both on and while leaving the site.

They have looked at the current and potential use of the council offices building. In their opinion it is difficult to gauge accurately and suggest that there are no specific guidelines in the parking policy for civic buildings. They have however referred to the fact that the full Town Council (15 people) meets around eight times a year with some public attendance at these meetings. In addition there are other smaller meetings once or twice a month and ad hoc attendance of councillors on a more regular basis. They consider that it would be unrealistic to judge parking on the same level as, say, that needed for a fully staffed office of the same size and in any case, due to the nature of this function, a large number of the participants are able to walk or use public transport to attend. However for the sake of comparison they have used the office use figures identified in Appendix 5 (Car parking guidelines) to the Weymouth & Portland Local Plan to calculate their assessment of the parking "credit" that the site currently has:

3 floors @ 230m <sup>2</sup>	= 690m <sup>2</sup>	
1 <sup>st</sup> 300m <sup>2</sup> GFA @	1 space per 20m <sup>2</sup>	= 15
Remaining 390m <sup>2</sup> GFA @	1 space per 30m <sup>2</sup>	= 13
Plus 10% visitor spaces		= 4
<b>Total parking 'credit'</b>		<b>= 32 Spaces</b>

Using the same appendix they have calculated that re-using the building as residential accommodation, together, with the reduced Council offices would require:

2 x 1 Bed studio	= 2
3 x 1 Bed flats	= 3
3 x 2 Bed flats	= 3
<b>Total parking for flats</b>	<b>= 8 spaces</b>
G/F as offices @ 230m <sup>2</sup> 1 space per 20m <sup>2</sup>	= 12
<b>Total parking required</b>	<b>= 20 spaces</b>

It is therefore their view that if the building was re-developed as flats it would generate less parking demand and require 12 fewer spaces than if it was re-used as offices. Therefore, since the site does have the previously mentioned good public transport links, is near a public car park and has very good local access to a range of shops and services, they consider that it should be acceptable to allow for lower levels of off-street parking as set out in Policy T17. In addition however they propose to provide 8 additional spaces in the nearby Hambro Car Park.

Turning to the question of access, they suggest that one of the main reasons for moving the Council function to the ground floor is to improve the access to this public facility for all disabled people including those with Physical, Sensory, Mental, Speech and language impairments and progressive illnesses. The approaches and entrances will be level, with level thresholds, a new external rain canopy would be provided to the rear entrance, as well as improved surfaces and external lighting.

In response to the comments contained in the representations, the applicants have commented that the effect on the existing narrow lane will have to be carefully managed and strict rules set. They do not consider scaffolding will be necessary and the new addition will be pre-fabricated to a large extent and craned into position. They suggest there is a large area to the rear for contractors. With regard to car parking, they point out that there will not be anywhere to park on site, except for the disabled space. Concerning the comments about this being a corner hillside location, they refer to the above comments and suggest that this situation would be the same with whatever use the building is put to. As to the question of what benefit is there to local people, reference is made to meeting housing need on Portland. Turning to community use, it is pointed out that the "public" function will continue, but in a more accessible part of the building. With regard to the comments on design, they note that this was not a factor in the previous refusal. On the question of the use of the new spaces to be created at Hambro car park, these are intended to be additional public spaces rather than designated spaces for the flats. With reference to overlooking potential, they suggest that the neighbouring properties are already overlooked and they do not consider the use of obscure glass to be appropriate. Concerning potential for business use, they point out that this building has been lying  $\frac{3}{4}$  empty for some time due to its unsuitability for modern office or business use. There have been no enquiries from anyone wanting to lease it for these purposes and it is

suggested that most businesses of this type are at Southwell Business Park. Finally on the question of the existing “play area” at Hambro, they suggest that this is now a run down grassed area, which had its play equipment removed because of lack of use.

### **RELEVANT PLANNING HISTORY**

In November 2006 you considered a previous application, 06/00735/FUL3, which proposed alterations to form 6 flats on ground, first floor and new second floor (with Portland Town Council function relocated to lower ground floor) in this building, including a parking provision at Hambro car park. This application was refused permission because of concerns over the intensity of the use in this location and that it would result in overdevelopment to the detriment of new and existing occupiers. That scheme was for 2 x one bed flats, 2 x two bed flats and 2 x 3 bed flats and proposed 6 additional parking spaces in the nearby Hambro car park. The external appearance of the building was the same as that now submitted. Comment was also made by some members on the large size (3 bed) of some of the units proposed at that time, although this was not a reason for refusal.

### **POLICY CONSIDERATIONS**

This site falls within the development boundary identified in the adopted Weymouth & Portland Local Plan 2005, and consequently Policy D1 is appropriate to your consideration.

General development and general design criteria are covered in Policies D3 and B1 of the adopted Local Plan.

Policies T5, T6 and T17 of the adopted Local Plan, cover car parking and pedestrian & vehicular safety.

Flat development, including conversions, is specifically covered in Policy H5 of the adopted Local Plan. This indicates that such development will be acceptable subject to the following criteria -

- (i) *the proposed development would be compatible with the character of the area and the scale, massing, design features and materials would not adversely affect the privacy or amenity of nearby residents or result in a cramped form of development;*
- (ii) *provision is made for landscaping and amenity open space for the occupants within the site comprising at least 10% of the site area for conversions providing 4 or more flats, and 20% of the site area for all new build schemes, unless such provision is physically unachievable or undesirable in design terms;*
- (iii) *provision is made for drying areas, bin stores, recycling point, communal cycle parking in accordance with Policy T5, and an external sitting out and/or play area as appropriate;*

- (iv) *any conversion can be carried out without harming the intrinsic character of the building and its surroundings.*

The site falls within the Underhill Conservation Area and therefore Policy B8 of the adopted Local Plan is relevant to your consideration. In general this policy states that proposals will be permitted provided they preserve or enhance the character of the area.

Finally the proposed car parking at Hambro results in the loss of part of the Local Open Space area and therefore Policy C9 of the adopted Local Plan is appropriate to this scheme.

### **CONSULTATIONS**

The Technical Services Manager has discussed this matter with colleagues at Dorset County Council and as a result can confirm that neither he or Dorset County Council have an objection to this revised proposal. He advises that in coming to this conclusion they took into account the current permitted and actual uses and current provision of parking, in addition to the location of the building both on a bus route and not far from local shops. More importantly he points to the proposal to provide additional off-street parking spaces for public use in Hambro Car Park (now standing at 8 spaces) and suggests that these be the subject of a condition to require that before the development is utilised the additional parking space at Hambro Car Park shall be created, adequately surfaced and marked out as shown on the approved plan and maintained thereafter. He also suggests that the proposed 16 cycle parking spaces be the subject of a condition.

Portland Town Council object to this proposal. They consider the scheme to be contrary to Policy C9 and that the design and materials of the 2<sup>nd</sup> floor are not in keeping with the existing building and would be out of character with the Conservation Area, particularly in terms of bulk and mass. They have also expressed concerns over; highway safety (because they consider that the conversion will increase on street car parking requirements in the area contrary to Policy T17) and loss of privacy due to overlooking.

The Environmental Health Section has no objections or observations to make on this proposal.

### **REPRESENTATIONS**

Six representations have been received, all of whom express concern about this proposal. The material issues raised are:

The effect on the existing narrow lane (adjoining the building) serving 4 properties and providing access to 2 others. Suggests it has to be kept clear for vehicular access and services (both emergency and others). Concern over the effects of scaffolding (as has previously happened). Would like to know where contractors are going to put; scaffolding, vehicles, skips,

materials and machinery etc. Are the new residents going to use new spaces at Hambro when they come back from the supermarket etc up the hill, in adverse weather etc? They think not due to human nature.

The development is adjacent to busiest main road on Portland on a steep bend on a hill, which over the years has seen many accidents. Vehicles coming down hill do frequently oversteer and mount the pavement in the path of pedestrians and the residents of the proposed flats.

Do not consider there is any benefit to local people or the area from proposal. Indeed consider that there are many aspects that will be detrimental to the area.

Do not believe that as a community they would not need such a building "for some purpose in the future and would *"therefore regret its demise as a public space"*.

Proposed 3<sup>rd</sup> storey would not fit into the architecture or materials of the Conservation Area.

Suggests "inappropriate" for spaces to be allocated for new residents when parking is in short supply for other residents and visitors. Also suggests additional pressure from guest parking.

Building work and increased use will compromise daily activity and safety of residents in locality.

Considers that new build properties are not allowed to have clear windows that overlook current properties. Suggests that there will be overlooking and as a result of change from business use (mainly not at evenings and weekends) assumes that opaque glass windows would be required on the side of the building. Suggests that if third floor added *"privacy will be totally lost."*

Do not object to refurbishment for business use to encourage small businesses and bring in employment but feels Fortuneswell *"is far too populated with little or no recreational space for local residents."*

Insufficient infrastructure for more housing, e.g. insufficient parking. Notes removal of Child playground adjoining Hambro to facilitate car parking but feels *"we should be investing and improving these facilities and not removing them"*.

Concern that not enough car parking for existing residents and that "to take spaces from Hambro car park will make it worse." Existing car park full, especially in evening/night.

Are new car spaces to be public or allocated.

## **CONCLUSIONS**

The existing Council Offices building has been in use by Portland Town Council and this Authority since Local Government reorganisation in 1974. Whilst this Authority only now uses it for storage, other office uses have shared these premises in the past with Portland Town Council, including the cash office and architects sections and more recently a unit of the County Council's Social Services.

You will see from the history section above that you considered a similar residential scheme last November where permission was refused. This scheme is for more units but with a change in the number of bed spaces. In this case the scheme proposes a density of 348 units per hectare, clearly higher than that which you refused. However this resubmitted scheme actually has fewer bedspaces at 22, compared to 24 before. You will recall that following your December meeting I gave a briefing on the question of density, during which I made the following points in respect of the Portland Council Offices scheme:

*“However the issue in relation to this site is whether the scale of development constituted ‘overdevelopment’ in the context of the existing site coverage of the property and the character of the surrounding area. The issue of density does need to be considered with regard to each individual site and not simply as a simplistic mathematical or numerical issue.*

*Some important points to note are as follows:*

- higher density and therefore more efficient use of brownfield land is encouraged by national, regional (in the emerging South West Regional Spatial Strategy) and local policy. Therefore looking at ‘maximum densities’ is to a degree inappropriate in this context.*
- where the Committee is considering an application for an existing building and its conversion, density arguments should generally not be used. It is more a case of what is an efficient housing use of existing floorspace and the most appropriate design solution. Similarly the redevelopment of an infill urban plot should be considered on the same basis, recognising that in some situations there is the full 100% site coverage.*

By way of example an assessment was made of the densities of other recent developments approved in the Borough, supported and approved by Planning Committee, which are considered to be successful and appropriate schemes. Indeed one has received the Conservation Award from the Civic Society. The densities on these sites are similar to and in some cases well in excess of the density proposed at the Portland Council Offices site, extending up to over 600 units per hectare in a number of cases and yet the schemes have developed appropriately in their context and ‘work’, either as designs or built schemes, with the urban framework and street scene.

It should also be noted that the Portland Council Offices site does have some surrounding curtilage space - unlike some of the other high density urban infill schemes that have been approved.

Clearly your previous decision is a material consideration, but it is also relevant to point out that the submission has changed. As a result of this, and having regard to the above comments, I advise that this scheme does propose an acceptable density.

Before proceeding to address the remaining elements of the scheme, I would remind you that previously you did not refuse permission on the basis of the proposed design, which is essentially the same. In addition, whilst there are now 8 smaller units rather than 6 larger ones, you had no objection on highways grounds, or to the new parking proposals at Hambro Road, nor did you express concern over the relationship of the proposed conversion to neighbouring properties.

As stated previously, clearly the offices have virtually no car parking at present and its location on the steep hairpin on Fortuneswell makes the question of vehicle movements a major issue in considering proposals for alternative uses. You will see the applicant's consideration of this matter above. I must advise you that in planning terms the use of this building is Class B1 office use and as such the building could be utilized by a range of other office uses without the need for further planning permission. Clearly these could involve uses that could potentially generate more traffic than the Town Council and this Authority's storage uses do at present. In saying this, the scheme provides for the retention of the Town Council use and so the use of part of the building will no doubt generate similar activity to that which exists now, or could exist in the future. The remaining floors could be put to further office use which would generate traffic levels which, as suggested by the applicants, using the Local Plan guidelines could generate significant levels of traffic. However, despite this argument, it is my view that, in considering this scheme, it is necessary to have regard to the fact that this site is on a bus route and is close by to the shopping and other facilities in Fortuneswell. You will be aware that recent Government advice mentions these as important material factors when considering proposals such as this. In this case the scheme incorporates a single disabled/dropping off space on site and the provision of 8 additional spaces at Hambro car park. You will note that the Technical Services Manager supports this scheme and I must advise you that I support his view, particularly given a recent appeal decision in the Borough where flat development was approved without any car parking. You will also note that the scheme provides 16 cycle spaces within a store, this being somewhat in excess of your normal requirement of 1 space per 2 units.

Turning to the roof extension, you will note my comments above about your previous decision and I would reiterate my previous comments that the proposed design has been revised to accord with Conservation advice. On



that basis, I am once again prepared to advise you that this element will be visually acceptable in terms of your Local Plan policy.

On the question of alternative uses, I must remind you that this is not a matter you are being asked to consider. The application before you is for residential and the retention of Town Council office use. I do however accept the applicant's contention that this site is not ideal for modern office or business use and this is perhaps why there have been no enquiries from anyone wanting to lease it for these purposes.

As to the question of overlooking, I am satisfied that the additional floor, which is recessed in from the existing parapet (which itself is 1.6m high) will not represent a serious loss of residential amenity, particularly at this height above ground level. Turning to the windows on other floors, it is clear that the adjoining properties are already overlooked by the existing building and neighbours. I would suggest that the main areas for you to consider are the northwest (side) and south west (rear) elevations. There are no new windows proposed. There are 5 windows on the upper ground and first floors to the rear (one to a bedroom and two to a lounge on the upper ground floor, and two bedroom windows at first floor level). The side elevation of the neighbour to the rear is blank except one small window to the roofspace. Turning to the side elevation there are 10 windows at upper ground and first floor levels (at upper ground floor level, 3 serve two lounges, one is to a bedroom and the other is to a bathroom, whilst at first floor level 4 are two bedrooms and one is to a bathroom). As usual I am less concerned about bedroom and bathroom use (the latter no doubt will be obscured). I would suggest that the main consideration therefore relates to lounges and there are two that seem relevant at upper ground floor level on the side elevation (one at the front and one at the rear of the building). However, as can be seen from the photographs that will be displayed at your meeting, there are a number of trees along that boundary as well as an existing garage and therefore some considerable obstruction already exists (particularly in summer). Also the main side elevation of the adjoining property is also blank. In general, I am less concerned at the front of the building and therefore looking at the rear, I consider that it may be necessary to consider some minor partial obscuration of the bottom section of one lounge window to minimise impact.

Finally, turning to the question of the additional car parking in Hambro car park, the plan shows 11 spaces, 1 at a higher level adjoining the entrance and 10 off the lower level. The lower level spaces involve the removal of 3 existing spaces to form the entrance and consequently there is a net gain of 8 spaces. This lower area is on a former play area that is designated as part of the Local Open Space in this area. This area which was laid out some years ago, has not been well used and is now run down and un-equipped which has led to a further lack of use and as such the loss of this area, which is wet even at this time of the year, is not considered to be significant. The applicant has advised that they would wish to agree a precise car parking layout by way of a condition so as to avoid any impact on the 3 trees in this area. I am satisfied that this is reasonable. Therefore as the applicant has offered a contribution towards other improvements in the locality, I believe that this

approach is an acceptable alternative. The contribution is as usual based on the area of the lower open space that would be lost to form the car parking spaces using our normal formula of £38 per m<sup>2</sup>. This was originally a figure of £5016, however in view of the increased area now involved, this figure has increased to £9842. I have obtained an assurance from the applicant's agent that this would be paid on completion of any sale of the site.

On the basis of the above, I am prepared to recommend that this scheme be approved subject to conditions.

### **RECOMMENDATION**

Grant permission subject to the following conditions:

- 1) 3YRFUL (Standard)
- 2) (D09E) Before the commencement of development, unless otherwise agreed by the Local Planning Authority, details and samples of all new facing and roofing materials shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be completed in accordance with these details.

Reason: To ensure that the external appearance of the completed development is sympathetic to its locality, in accordance with Policy B1 of the adopted Weymouth and Portland Local Plan 2005

- 4) The flats hereby approved shall not be occupied until at least 8 car parking spaces at Hambro car park have been constructed and made available for car parking purposes, in accordance with a detailed car parking layout to be agreed in writing with the Local Plan Authority. Thereafter the agreed spaces shall be permanently maintained.

Reason: To ensure the provision of adequate off street car parking facilities, in accordance with Policy T17 of the adopted Weymouth and Portland Local Plan 2005.

- 5) Detailed drawings to show the precise design of the proposed roof structure shall be submitted to and be approved by the Borough Planning Authority prior to the commencement of the development hereby approved. Thereafter the development shall be completed in accordance with the agreed scheme.

Reason: In order that the detailing is of a sufficiently high standard, in accordance with Policies B1 and B8 of the adopted Weymouth and Portland Local Plan 2005.

- 6) (D05E) The glazing marked in yellow on the attached plan shall be glazed with glass to a level of obscurity to be agreed with the Local Planning Authority and shall be permanently maintained in that condition. No additional openings shall be formed in that elevation without the prior

written consent of the Local Planning Authority.

Reason: To maintain the privacy of the occupiers of neighbouring property, in accordance with Policy D3 of the adopted Weymouth and Portland Local Plan 2005.

REA3 - D1, D3, B1, C10, H5, T5, T6, T17

Approved plan : 808.001C

**BACKGROUND PAPERS**

File Ref: 06/00735/FUL and 07/00524/FUL3

CJM