# Development Control – Delegated Officer Report

**Application Number:** **Recommendation – APPROVE**
**AWDM/1693/14**

**Site:** **151 South Street**

**Proposal:** **Change of use of ground floor to one bedroom flat**

Neighbours checked: Y
Additional neighbour notifications: /N

**Proposal, Site and Surroundings**

The proposal is for conversion of the ground floor shop to 1 no. 1 bed flat.

The application property is a mid-terrace commerical unit in a shopping parade. It is currently a café.

The surrounding area is the town centre of Lancing, close to the seafront road.

**Relevant Planning History**
None

**Consultations**

**Lancing Parish Council:** *Although Committee was concerned about the loss of a business on South Street there were no objections to this proposal*

**West Sussex County Council Highways:** *No anticipated highways concerns. The proposed dwelling will not be provided with any off street car parking provision. The site is sustainably located and within walking and cycling distance to local amenities. The previous us of the site as a café would have generated significantly more vehicular movements and demand for on street car parking than the proposed one bed flat.*

***Summary of Contributions:***

| | |
|---|---|
| Net Commercial Floor Space sqm | 0 |
| Total Access (commercial only) | 0.0000 |
| Number of fire hydrants | TBC |

**Total TAD Contribution due**

**£600**

Subsequent comments have been received by West Sussex County Council stating that a TAD contribution is no longer required following recent Government guidance.

**Adur & Worthing Councils:**

***Planning Policy*****:** *In terms of the weight of the emerging Local Plan, all there is to go on is para 216 from the NPPF which states the following:*

*From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*
*●the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
*●the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
*●the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

*It is probably fair to say that, at Publication stage, the emerging Plan is quite advanced so it should be a material consideration when deciding a planning application. Nevertheless, the adopted Plan should general still have the most weight where it is in conformity with the NPPF.*

*In respect of the southern section of South Street, the emerging Plan is more flexible than the existing Local Plan as this part of South Street has never been particularly successful commercially. I would have no objection to the change of use from A3 to residential and I think it would seem slightly bizarre if we refused the application on the basis of Policy AS1, knowing that in less than a year's time (hopefully) we would be approving the scheme under Policy 9 of the new Local Plan.*

*There have not been any objections to Policy 9 so this is not a policy that is likely to change significantly.*

***Environmental Health*****:** *must submit the relevant asbestos register. No objections from housing aspect. The area of development on South Street has been identified by DEFRA as an area severely affected by traffic noise. I would ask for an acoustic assessment to be undertaken to ascertain the exact noise exposure of the property including a scheme to protect the habitable rooms from excess noise. The standard to be achieved shall be British Standard BS 8233: 1999: Sound insulation and noise reduction for buildings. British Standard 8233 Indoor Noise Levels Room Good Reasonable Living Room 30 dB LAeq,T 40 dB LAeq,T Bedroom 30 dB LAeq,T 35 dB LAeq,T & 45 dB LAmax,F . As a minimum requirement I would expect the reasonable level to be achieved*

**Representations**
None

**Relevant Planning Policies and Guidance**
Saved Adur Local Plan policies: AG1, AS1, AH5, AH3
Lancing Vision
National Planning Policy Framework
Good Practice Guide – Internal space standards for new homes

**Planning Assessment**

***Principle***

Adur Saved Local Plan AS1 resists loss of existing shopping provision if the proposal is likely to detract from the character and vitality of the area. This policy was self-assessment as being consistent with the National Planning Policy Framework.

Progress on the emerging Adur Local Plan means saved policy AS1 carries the greater weight.

However, a clear direction of travel in emerging Adur Local Plan policy 9 is that 'A' uses should not be safeguarded in this section of South Street. This change in stance reflects the aspirations of the Lancing Vision.

In relation to the suggested secondary frontages of block 6 (in which the application site is designated), policy 9 it is a highly permissive policy allowing any type of use, including residential.

A commerical unit opposite has been recently converted to residential, after receiving planning approval. Given the emerging policy position, the loss of the commerical unit would not be harmful to the character and vitality of the area.

The conversion would make a very modest positive contribution toward satisfying unmet housing demand and need in the district, in accordance with Saved Local Plan policy AH3.

It would provide a dwelling type supported by Adur Saved Local Plan AH5, which sets a presumption in favour of dwellings serving small households.

***Visual amenity***

The loss of the shop front is regrettable as the host building is in the middle of the commerical parade. However this could not have been readily adaptable to future residential use as retained as it would have allowed for intrusive views into the flat.

The sign board would be retained in 'memory' of the building's previous use.

The new window is centrally located and the design of both it and the new door reflect the standard of quality elsewhere in the street.

The removal of the flue would be of benefit, visually.

***Residential amenity – effect on existing dwellings***

The first floor over the café is a flat. A residential use below it would be compatible with the flat use, and less harmful in terms of noise and disturbance (use of

the yard would be no worse than at present as this could be used for business deliveries, staff breaks etc.).

***Residential amenity – future occupiers***

There are some marginal lapses to the size of the habitable spaces when set against the Councils' adopted standards. However this is a reflection of the inherent constraints of conversion.

The flat falls short of the minimum floor area standard of 51 square metres, although the specific space standards for sleeping and living, cooking & eating are met.

The main living and sleeping areas would benefit from adequate light and ventilation, and both are reasonably sized spaces. Environmental Health has not objected, subject to the implementation of a scheme for sound insulation from road traffic.

Future occupiers would have access to a private yard for some outdoor respite, with refuse and cycle stores.

***Contamination***

The asbestos register is not a prerequisite to granting planning approval, so does not need to be requested.

***Highways and Accessibility***

The site is situated in a sustainable location, within walking distance of alternative means of transport other than the private car and local services and facilities. A secure cycle store would be provided within the private yard.

The absence of motorcar parking is therefore satisfactory in this situation.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Standard time limit
2. Approved Plans
3. Making good of building frontage to match
4. Prior to occupation acoustic assessment submitted/agreed/installed
5. Prior to occupation bin stores provided
6. Prior to occupation cycle store provided
7. Prior to occupation extract flue removed

**Informative**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to any representations? N

Case Officer signed: Matthew Porter Date: 28-01-2015

Authorised and signed by: Peter Barnett Date: 28 January 2015