Development Control – Delegated Officer Report

Application Number: AWDM/0344/17 Recommendation- REFUSE

Site: 272 Upper Shoreham Road, Shoreham-by-Sea, BN43 6BF

Proposal: Replacement rear extension to north elevation with larger extension to contain one 1 bedroom flat. Retention of existing 2 bedroom flat on first floor and new rear dormer to north elevation and formation of further 1 bedroom flat on second floor. Shop and post office to remain on ground floor.

Date of site visit: 10.04.2017

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The property is a two storey middle of terrace unit with retail on the ground floor and a two bedroom flat over. The access into the first floor residential flat is via a separate door to the side of the shop. The shop is currently being used as a newsagents/convenience shop and a small extension to the rear houses a Post Office within the shop.

The rear has a prefab single storey detached structure used as a store, and there is a rear garden leading out onto Garden Close. The small roof section over the rear extension has seen better days as too the prefab structure. The ground floor of the premises is set lower than the level of the rear garden and there are steps from a small concrete area directly behind the shop which lead up to the rear garden.

The property's neighbours within the terrace, are also in commercial use, (Chinese take away at no. 270 and Indian at no. 274) and appear to have first floor residential accommodation. Some of the neighbours have rear flues.

Proposal

Permission is sought to provide a rear flat roof door measuring approx. 6.8m wide x 2.6m high x 2.6m deep and 2no. rooflights to the front roof slope and a single storey flat roof rear extension measuring approx. 6.6m long x 6.8m wide x 3m high.

The extensions would therefore enable the residential accommodation to change from the existing 2 bedroom flat to a 1 no. bedroom flat on the ground floor; a 2no. bedroom flat on the first floor; and a 1no. bedroom flat on the second floor, all self-contained units.

The ground floor retail unit will remain, but will have a smaller floor area, with the post office section and retail area being contained within the front section

of the retail unit. The rear section of the retail unit and the existing rear extension would become part of the proposed changes.

Relevant Planning History

SU/64/99/TP/17926 Single storey rear extension to PO/Shop and rooms in roofspace of flat over (With rear dormer). Approved 18.06.1999

SU/130/04/TP2187 Single storey rear extension. Approved 223.07.04

Consultations:

WSCC: The Highway Authority comments as follows:-

"Parking
No vehicle parking details have been submitted as part of this application. The WSCC Parking Demand Calculator advises that 1 space should be provided as part of this development. A study of local mapping demonstrates that parking restrictions are in place in the immediate vicinity of the property on Upper Shoreham Road and there is on street parking available a short distance away. There is no evidence that the highway is operating unsafely or that this proposal would exacerbate an existing safety concern.

Sustainability
The property is situated in a sustainable location served by street lit footways providing easy walking access to a range of local retail and other amenities. Modes of public transport are available nearby such as bus stops with services onto nearby towns and villages and Shoreham-by-Sea train station is within 0.9 miles. It is acknowledged that cycle storage is to be included as part of the proposal. This should be covered and secured and be of sufficient size to accommodate 0.5 space per flat, including existing, in a communal area. This can be secured by condition.

Conclusion
In conclusion the LHA does not wish to object to this proposal."

Southern Water: Suggest conditions/informatives if approved

Adur and Worthing Councils:

The Environmental Health Officer has no adverse comments.

The Engineer comments that the proposed site lies within flood zone 1 and appears to be unaffected by surface water flooding and has no history of flooding. If approved it is suggested a condition is attached requiring details of surface water drainage to be submitted and approved.

Representations: None received.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH2, AS5
Submission Adur Local Plan 2016: Policy 15, 21, 28
Good Practice Guide – Internal Space Standards for New Homes
Development Control Standard No.2 'Space Around New Dwellings and Flats'
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Development Control Standard No. 4 'Flat Conversions'
Good Practice Guidance Note 'Internal Space Standards'
Technical Housing Standards
National Planning Policy Framework

Planning Assessment

Principle

Central Government has accorded the National Planning Policy Framework considerable status as a material consideration which can outweigh the Development Plan's provisions where such plan policies are out of date; or silent on the relevant matter. In such circumstances paragraph 14 of the NPPF states that where the proposal is not otherwise in conflict with specific restrictive policies in the Framework, development should be approved unless the harm caused significantly and demonstrably outweighs the benefits when assessed against the NPPF overall.

The site is located within a designated shopping area of Shoreham. However, there is no objection in principle to residential development above ground floor which will contribute towards meeting the Council's housing need. To this effect, saved policy AH2 allows for new residential development by way of infilling or redevelopment within the built-up area subject to it being designed so that its appearance, character and scale creates a pleasant place to live, in-keeping with, and enhancing the existing local environment; it does not have an unneighbourly impact on existing dwellings; it incorporates adequate standards of residential amenity for future occupiers and subject to satisfactory access and parking arrangements being provided.

There is no objection in principle to the proposal which includes an extension and the provision of 2no. additional flats. The key concerns are the effects on the residential and visual amenities of the locality together with the effects on future occupants.

Visual Amenity

The proposed rear extension would replace and extend the existing extension which appears to be in poor condition. The existing extensions are some 5.1m long and the proposal would be 6.5m long, creating a form of development some 1.4m longer than existing.

The width of the new rear extension would be approx. 6.8m wide which is comparable with the existing width.

The rear dormer would be quite wide, being some 6.8m wide x 2.6m high x 2.6m deep.

Visually, it is not considered that the single storey rear extension would unacceptably harm the visual amenities of the locality to the rear for several reasons, firstly because it would be replacing currently unsightly rear structures; secondly because the extension will be onto land lower than the garden, which will thereby minimize any impact it might have; and lastly, it will only be some 1.4m longer than the existing structures on site. Further, the prefab shed, which is also unsightly, is shown to be removed, which is again of benefit. A condition could be added on any approval, to require details of any replacement shed and its position within the site, to be submitted and approved by the LPA.

The principle of a rear dormer is acceptable, particularly given that no.'s 274, 276 and 278 all have rear flat roof dormers. No. 274 in particular has a wide dormer looking to be virtually the full width of the roof, but for the flue that is running up the wall and the roof at this position, preventing the dormer being full width.

The plans on the current application herewith being considered, do not indicate the flue, but it is clear that the proposed dormer would come close to the side of the flue.

Residential amenity for proposed dwellings

The minimum space standards for new homes is stated within this document. The minimum internal floor areas for dwellings/flats:-

For 1 bedroom flat : 51 square metres
For 2 bedroom flat : 66 square metres

The plan clearly marks that the 1 bedroom flats each have 45 square metres and the 2 bedroom flat has 57 square metres. This means that the 1 bedroom flats are undersized by 6 square metres and the 2 bedroom flat by 9 square metres.

However, generously measuring up the plans, it has been ascertained that
Flat 1 measures as 45.9 sq. m
Flat 2 measures as 49.55 sq. m
Flat 3 measures as 39.42 sq. m – 5.58 being unusable under skeiling making total 33.84 sq. m

This thereby indicates that on 2no. of the flats, the measurement on the plans are incorrect.

Indeed, the bedrooms measure to be:-
Ground floor flat – 9.59 sq. m
First floor flat – 18.22 sq. m
Second floor flat – 9.54 sq. m

The standards state that the minimum total bedroom size should be:-
1 bedroom 12 sq. m
2 bedroom 19 sq. m

This means that:-
Ground floor flat total bedroom too small by 2.41 sq. m
First floor flat total bedroom size too small by 0.78 sq. m
Second floor flat total bedroom too small by 2.46 sq. m

The living, cooking, eating area is also too small on the flats.

The upper flats are unable to access the rear garden space, with only the ground floor flat having access. Development Control Standard No. 4 'Flat Conversions', requires the minimum amenity area per flat would be 20 square metres. This application thereby fails 2no of the 3no. flats proposed.

Bin storage; bicycle store; and parking, are notated on the plans as being to the rear access road. However, other than the ground floor flat, none of the other flats or shop have access to the rear garden in order to gain access to the bins. They would therefore have to carry their rubbish and recyclables out of the front door and walk to Garden Close and then walk along the rear access road until they reach the rear garden and the bins of the application site. This of course will not work. Bins for these properties are indicated on the plans within the recess outside of the entrance door to the flats, but these measure as being 300mm wide which is approx. the size of a standard kitchen bin. These are inadequate for all the weekly refuse needs of the proposed flats. There should be 2no. receptacles for each flat (and the shop), one for general waste and the other for recycle goods. This application thereby fails on these points too.

Residential Amenity

The main residential properties to the application site are to the rear within Garden Close; to both the sides of the application site; and on the opposite side of the road within Upper Shoreham Road.

No. 5 Garden Close has a garden that runs along the side of the rear access road which serves no. 272, but at approx. 30m distance from the proposed rear extension, it is not considered that the proposal would result in unacceptable harm onto this property.

No's 274 and 270 Upper Shoreham Road, have upper flats to their properties, although either side of the proposal, the rear extension and dormer will not result in harm onto no. 274 given that they have a large rear dormer and rear structure themselves; No. 270 however does not have a rear dormer and only has a relatively small rear extension which the proposed rear extension will protrude some 3 metres further from. The proposed extension will be slightly lower than the extension at no. 270, and it will also be to the west of no. 270, meaning that using the 45 degree rule, there will be some loss of light to the ground floor of that property. However, the ground floor is within commercial use not residential, and thereby it is considered that the proposed single storey rear extension would be acceptable

Opposite in Upper Shoreham Road is some residential development, but again is some 30m distant from the proposal, in the case of the front

development would be rooflights, so it is not considered that they will be harmed by the proposal.

Summary

There is no doubt that the principle of flats is acceptable within this location, indeed the rear dormer too would be acceptable. However, the proposal as it stands does not provide adequate living accommodation or amenity provision for the 3no. flats.

The dormer could be provided in order to enlarge the existing first floor flat and an access from this first floor flat could be provided into the garden and thereby the rear bin access.

Nevertheless, because of the above outlined space standard problems, the proposal as it stands is unacceptable.

Recommendation

REFUSE for the following reason

1. The flats as proposed do not meet the required internal or external space standards and do not provide refuse bins which are easily accessible. The proposal thereby would not deliver adequate or satisfactory accommodation for occupants, and is thereby contrary to saved policy AH2 of the Adur Local Plan; policies 15 and 21 of the Submission Adur Local Plan 2016 and Supplementary Planning Documents, the Good Practice Guide – Internal Space Standards for New Homes & Development Control Standard- Space Around Dwellings and Flats together with Development Control Standard no. 4 Flat Conversions

Is recommendation contrary to letter(s) of representation? N

Case Officer: Eve Hearsey Date: 09.05.2017

Authorised by: Date: