Development Management - Delegated Officer Report

Application Number: AWDM/1361/20 Recommendation – APPROVE

Site: 67-69 North Road, Lancing, West Sussex

Proposal: Proposed ground floor rear extension with roof terrace over in connection with part ground floor conversion of existing shop to form 1 bedroom flat at rear. Alterations to doors and windows to rear elevation. Associated car parking, cycle and bin store (Resubmission of application AWDM/0126/20)

Date of site visit: 24th February when considering AWDM/0126/20

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is an end of terrace building within the town centre and Primary Shopping Area of Lancing. As existing there is a Funeral Directors at ground floor and a first floor flat above. The commercial unit has a shopfront onto North Road and access to the flat is to the rear via an external staircase. The commercial unit also has rear access at ground floor. There is a court yard area to the rear of the building accessed via Culver Road to the north of the site. There is informal parking along this access to the rear of the site and this also provides a service access for the rear of the commercial properties within this parade. Purpose built flats at Culver Court are to the south west of the site.

Consent was previously sought under AWDM/0126/20 for changes to the building, to add a single storey extension to the rear to create a ground floor flat and convert part of the existing shop. In addition roof extensions to create a self-contained flat in the roof space were proposed. Officers did not consider the roof extensions to be sympathetic to the character and appearance of the locality with the design and proportions of the roof altered within the street scene, changing the simplistic form of the hipped roof. It was also considered to be overdevelopment of the site with three dwellings within the building.

The current application seeks consent to add a single storey rear extension with roof terrace above. The current commercial floor space will be reduced to provide a ground floor flat to the rear incorporating the floor space created by the new extension. A one bedroom flat is proposed with access from the rear courtyard. The terrace above will be for the benefit of the existing first floor flat. Amended plans have been received which show the external staircase which accesses the first floor flat moved to the rear of the extension leading to the roof terrace, where the entrance to the first floor flat will be. This allows for the lounge and bedroom at ground floor to have improved outlook. The amended plans also show a roof light serving both the kitchen and bathroom. The terrace has also been reduced in size to be the front section only.

The planning application forms refer to 1 parking space at the site and this being unchanged. Therefore in terms of the new development (the ground floor flat) this application is being considered on the basis that there is no parking provision.

Consultations

West Sussex County Council: The **Highways Authority** advice that as it has not been identified who will benefit from the existing parking space the LHA views that the site will received NIL parking provision. The site is in a very sustainable location within walking and cycling distance of a range of public services, amenities and residential areas. Buses, car parks, train station and walking distance to large residential areas. Cycle parking should be provided. The LHA do not consider that the short fall of parking justify refusal on highway grounds. The LHA raises no concerns over parking. Subject to conditions relating to cycle parking and electric vehicle charging.

Adur and Worthing Councils:

Drainage Engineers:

Flood risk- The application is within flood zone 1, and is not shown as being at risk of surface water flooding. We therefore have no objections on flood risk grounds.

Surface water drainage- the application includes an extension and the form indicates that the proposal is to discharge to existing mains sewer. There is no surface water sewer in the vicinity. Surface water should not be discharged to the foul sewer. Due to the size of the application and existing hard surfaced area we have no conditions to request but would like to remind the applicant that design and construction must be in accordance with building regulations and the permission of southern water will be required where any new connections are required.

Environmental Health

This site is situated adjacent to land which has been identified as potentially contaminated. As groundworks will be necessary for this application I would advise the following condition:

Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

As this application involves the conversion of part commercial to residential I would recommend the following:

The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property. As this is being renovated to residential, the Council need to be satisfied that if any asbestos is present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register - and any remedial strategy where appropriate – should be provided prior to works commencing.

A car garage is positioned adjacent to the rear of this site, the proposed floor plans show the ground floor bedroom situated to the rear, in close proximity to this garage. I would recommend the following condition.

Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from commercial noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented.

Private Sector Housing

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Southern Water: Connection to public sewer required, standard informatives to be added.

Representations

None received

Lancing Parish Council: - No objection

Relevant Planning Policies

Adur Local Plan 2017 Policy 9, 15, 3, 20, 27
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 Space Around New Dwellings and Flats.
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal comprises a reduction in commercial floor space within the primary shopping frontage. However, 30sqm of retail floor space will still remain which is considered to be adequate to remain viable. The addition of a one bedroom flat will contribute towards housing supply within a sustainable location. The main issues to consider here are residential and visual amenity and highway safety.

Visual amenity

Unlike the previous scheme, where significant changes to the roof of the building were proposed, this development is contained to the rear of the site. No changes will be visible from North Road to the front of the site, the primary frontage. To the rear via the servicing access road the proposed extension and terrace will be visible features. The proposed works will be visible from surrounding adjacent commercial and residential properties. The extensions however are not prominent or out of

keeping in this case. There are out buildings, flat roofs, informal parking and a mixture of land uses in close proximity and this form of development in visual and character terms is acceptable. Materials will be used to match existing. The railings on the terrace will match the existing staircase. It is acknowledged that an external terrace such as this is not a common feature. However it will enhance the amenities for the occupiers of the first floor flat improving the facilities for the occupiers. Taking into account the surrounding environment on balance this feature is acceptable in terms of character and appearance.

Residential amenity

Consideration must be given to the residential amenities of the occupiers of the adjacent dwellings and also the future occupiers of the flats. The first floor flat will be enhanced with the provision of the external terrace. The new ground floor flat will be suitable for a single person as it meets the required space standard of 39 m2 - the proposed flat is 48 m2, therefore just under the 50 m2 requirement for a 2 person dwelling. Outlook is limited, being all to the rear, yet main living spaces have windows for light and ventilation. The amended plans improve outlook and light to the ground floor bedroom and lounge. There are also two roof lights in the flat roof serving the kitchen and bathroom. No private amenity space is provided here, which is not uncommon in such town centre sites and where commercial space is converted. However there is access to local amenity space. On balance the residential provision here is acceptable.

Environmental Health have advised that due to the use of the commercial garage, which will abut the bedroom at the ground floor flat, sound proofing will be required. The amended plans show this and a condition is attached as required to protect the amenities of the future occupiers of the ground floor flat and to not compromise the ground floor commercial use.

It appears that there are other first and ground floor residential properties within close proximity of the site. To the north the windows above Nationwide appear to be commercial with the property attached to the south being in residential use above ground floor. To the south is Culver Court residential flats and to the west beyond the service road and parking for Culver Court are residential dwelling houses.

The ground floor extension is mainly infilling a space between the buildings and abutting the existing detached outbuilding which is used ancillary to the commercial unit. The nearest windows are those of the first floor flat where the terrace will be. Therefore there will be no significant impact upon adjacent dwellings in terms of overlooking or loss of privacy as a result of the use of the terrace. Although it will be visible to neighbouring residential properties it will not be detrimental due to the distance toward neighbouring properties and privacy screens. As the terrace projects beyond the rear of the building and there are other residential properties to the south a condition has been attached to require privacy screens to protect adjacent properties and the host flat from any loss of privacy and overlooking which may occur. In the light of the safeguarding conditions set out below this development is not considered to cause harm to adjacent occupiers and provides satisfactory living accommodation for the future occupiers.

Highway Safety and Parking

The plans refer to a single parking space at the site. This space appears to be in use for the existing flat. The proposed new flat will therefore not have any associated parking provision. The Highways Authority has stated that this is acceptable and there would be no highway grounds to refuse the application due to the lack of parking provision. This site is sustainable with amenities and transport links nearby and also public carparks should parking be required. The Highways Authority has requested that cycle parking be provided and an Electric Vehicle Charging point. The amended plans show these.

Other Matters

The comments made by Private Sector Housing have been forwarded to the applicant's agent for their information.

Although not a formal representation a resident of Culver Court expressed concern over the lack of parking provision for this development and that this could result in the use of neighbouring private car park, in this case Culver Court for informal parking for residents of this development. It is advised that there would be no planning restrictions to limit such behaviour and this does not justify a refusal in this case. It is more for the freeholder and those responsible for the private car parks to secure and ensure their appropriate use.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials to match existing
4. No additional windows on the north or south elevation of the extension
5. Prior to use of the terrace hereby permitted 1.8 metre high privacy screens shall be installed on the north and south side of the terrace and shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.
6. Cycle Parking in accordance with approved plans.
7. EV charging point in accordance with approved plans.
8. Contaminated Land condition.
9. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from commercial noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented.

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

1. Proactive with amendments
2. Private sector housing
3. Southern Water connection
4. Southern Water maybe sewer
5. Asbestos

Case Officer: Hannah Barker Date: 10th November 2020

Authorised by: Peter Barnett Date: 11 November 2020