Expiry Date - 25/12/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1489/23 Recommendation – APPROVE

Site: 106 - 108 George V Avenue Worthing West Sussex BN11 5RS

Proposal: Application for conversion of first and second floors from commercial Class E into one three-bedroom flat (Class C3) and one four-bedroom flat which includes the roof void (Class C3) with cycle storage and screen fencing to first-floor rear terrace (Amended description).

Date of site visit: 19.07.2023 (for NOTICE/0010/23)

Neighbours checked: Y

Additional neighbour notifications: Y – additional neighbours and amended description

Site and Surroundings

The application relates to a 3-storey, mid-terrace building with brick elevations and a pitched, pantile roof with flat-roofed rear off-shoots, located on the east side of George V Avenue, close to the roundabout junction with Goring Road. The building, last used as a bank with ancillary offices on the upper floor, is currently vacant, but works to implement a first and second-floor rear infill extension, replacement aluminium shopfront with new front entrance doors to the upper floors, and UPVC windows throughout, have been commenced.

The property is located with Goring Road District Shopping Centre.

The terrace of which this building forms part is identified as a 'Local Interest Building'. The Local Interest Study (2003) notes the protruding concrete balconies and horizontal emphasis of the terrace together and its curved form fronting onto the roundabout, which is mirrored by the similar terrace on the west side of George V Avenue.

There is a service area to the rear of the terrace accessed from Goring Road. There is no on-site parking provision.

Proposal

The current application seeks planning permission for the conversion of the first and second-floors from ancillary commercial (Class E) use to provide 1no 3-bedroom flat and 1no 4-bedroom flat.

Following discussion, the application has been amended to include cycle storage provision and screen fencing to the first-floor rear terrace.

Planning History

AWDM/0787/23 New external doors and windows throughout the commercial property. Small infill extension to the rear of the property. Permitted 28.07.2023.

NOTICE/0010/23 Application for Prior Approval under Part 3 Class G for a change of use from commercial, business and service use (Class E) to 2no 2-bedroom duplex flats (Class C3). Prior Approval Required and Granted 18.09.2023.

AWDM/1269/23 S.73 application to vary condition 1 (approved plans) of AWDM/0787/23 for changes to rear window/door arrangement. Permitted 18.10.2023 and part implemented.

Consultations

WSCC: The ***Local Highway Authority*** has no objection, commenting:-

"Summary and Context
This application is for the conversion of the first and second floors from Class E to Class C3, to provide one three-bedroom flat and one four-bedroom flat. The site is located on George V Avenue, an unclassified road subject to a speed restriction of 30 mph. Following an inspection of the submitted application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for application NOTICE/10/23, raising no objections. The Local Planning Authority (LPA) granted prior approval.

Content
No vehicular access is associated with this site. The LHA does not anticipate that the proposed development would give rise to a material intensification of movements to or from the site.

No car parking provision is proposed. The WSCC Car Parking Demand Calculator indicates that the proposed development should provide five car parking spaces. As such, vehicular parking would have to be accommodated on-street.

Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the proposed nil car parking provision would result in a highway safety concern or parking capacity issue, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

No details have been provided regarding cycle parking provision. Cycling is a viable option in the area and the LHA would request that secure cycle parking provision for two bicycles per unit be provided in accordance with WSCC Parking Standards, if there is space within the site to do so.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. The site is also well connected by public transport, with regular bus services available from nearby bus stops on A259. Both Durrington-On-Sea and West Worthing Railway Stations are within walking distance.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal."

The following condition is recommended in the event of approval:

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

In response to the amended plan showing cycle storage on the first-floor rear terrace the ***LHA*** has further commented:-

The proposed cycle stores are of sufficient size to accommodate at least two cycles each in accordance with the WSCC Parking Standards for a development of this size.

Fire and Rescue (Water & Access Manager):

Evidence is required to show that all parts inside all Flats are within 45 metres of the location of a fire appliance in accordance with Approved Document B (AD-B) Volume 1 B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45-metre distance will need to be mitigated by the installation of sprinkler or water mist system complying with BS9251 or BS8458 standards.

Southern Water:

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations:-

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer.

Southern Water requires a formal application for a connection to the public water main to be made by the applicant or developer.

WSP: No objection on surface water drainage grounds.

Adur and Worthing Councils:

EHO (Public Health): The following conditions are recommended:-

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

The use hereby permitted shall not commence unless and until an insulation scheme for protecting the upper floor residential unit from noise has been submitted to and approved by the local planning authority. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors. Following approval and implementation of the scheme, a test shall be undertaken. All works, which form part of the approved scheme, shall be completed before the use commences.

Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external 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 contained within the World Health Organisation community noise guidelines and achieve the recommended indoor and outdoor ambient noise

levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Reason: The proposed development is within an area which has been identified by DEFRA as an area of increased road noise.

Private Sector Housing:

No objections on PSH grounds but please note the following advisory comment:

The proposed third floor room of the property (room 4) is shown with roof lights. Windows should be wide enough to provide for a reasonable view of the immediate surroundings and sills in living areas should be low enough to allow a seated person a reasonable view. Where there is no outlook, for example where an occupant could only see the sky or a wall, then this can lead to a feeling of isolation. This is particularly important where occupants can be expected to spend a high proportion of time in the room, as is common with houses in multiple occupation. It would be preferable to have dormer windows that would allow a better view from a seated position.

Representations: None received.

Relevant Planning Policies

Worthing Local Plan: SP1, SP3, SS1, DM1, DM2, DM5, DM13, DM15, DM16, DM22
Revised National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance (CLG)

Planning Assessment

Principle of Development

The Worthing Local Plan was adopted on 28th March 2023. Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Paragraph 74 of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. The supply of deliverable sites should include a buffer of 5% to ensure choice and competition in the market for land, or 20% where there has been a significant under delivery over the previous three years.

The Inspectors report at Paragraph 176 states:

"I am satisfied that this is a reasonable assessment of likely deliverable supply. This comfortably exceeds the likely five-year housing land requirement. It is possible that some sites may stall or take longer to start delivering new housing, especially taking into account uncertainties surrounding the outcome of Brexit and COVID-19. However, there is sufficient headroom to be reasonably confident that a five-year supply of deliverable housing land would exist at adoption."

The Inspector was satisfied that the housing requirement represents a reasonable and realistic assessment of the limited capacity of the Borough.

The most recent housing trajectory and 5 year housing land supply for Worthing can be found in the Annual Monitoring Report. Table 9 indicates the Five Year Supply and includes a 20% buffer, which results in a 6.5 year supply of deliverable sites.

The fourth Housing Delivery Test was published in January 2022, and covers the period from 2018/19 - 2020/21 (therefore prior to adoption of the Local Plan). Worthing Borough Council scored 35%. Therefore the presumption in favour of sustainable development applies as set out in paragraph 11(d) as the delivery of housing was less than 75% of the housing requirement over the previous three years. Paragraph 11(d) requires development proposals to be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

The site is located within a designated District shopping centre where policy DM13 seeks to protect the existing hierarchy of vital and viable shopping centre by controlling changes of use to ensure the successful functioning of centres according to their function and ability to meet local needs. Policy DM13 seeks to encourage the efficient and effective use of upper floors that add to the viability of centres and resist uses that would undermine the viability of the unit on the ground floor.

The previous occupier, Lloyds Bank, vacated the building in August 2021. The current proposal would retain a commercial use (Class E) on the ground-floor. Formerly a double-width unit, the layout and external alterations approved under AWDM/0787/23 provide flexibility for its re-use either as a single larger unit or a 2 smaller units. A residential use of the upper floors would be consistent with the majority of properties in this mixed-use parade (including No.104 George V Avenue and 64 Goring Road attached to the south). Subject to the provision of adequate noise insulation between the proposed residential units on the upper floors and the ground-floor commercial unit(s) as recommended by the EHO, there is no reason to believe the viability of the commercial unit would be undermined by the proposed residential use.

The proposed development is within a highly sustainable location, accessible to a broad range of local facilities and services and on the route of a regular

bus service serving the town centre. Owing to its location above a commercial shopping parade, the proposed residential accommodation is unlikely to be attractive to families and is more likely to be used as HMO accommodation (Class C4), but would nevertheless make a welcome contribution towards meeting local housing needs.

Visual Amenity

In addition to the external alterations approved and currently being implemented under AWDM/0787/23 (varied by AWDM/1269/23) the only additional external alterations would be the insertion of 3no roof lights (1.1m x 0.55m) in the east-facing roof slope serving the fourth bedroom of the proposed larger dwelling unit, the installation of an array of solar PVs (one row on the rear roof slope (below the roof lights) and one row on the second-floor flat roof of the rear infill extension), plus rendering of the masonry on the rear facade.

Following discussions, screen fencing is proposed above the existing parapet walls of the flat-roofed area at first-floor (1.8m high from roof level).

There would be no significant harm to the appearance of the buildings or the character of the surrounding area. There is no objection to rendering over the masonry walls on the rear elevation which will provide a more coherent external appearance to the rear.

Residential Amenity – Future Occupiers

The proposed dwellings would each have their own self-contained access from George V Avenue, plus secondary access from the rear service yard and existing external stairs leading onto the first-floor flat roof.

The proposed layout shows a bedroom, bathroom and kitchen/living/dining room off a landing at first-floor. Stairs off the landing lead up to 2no further bedrooms and 2no further bathrooms off a second-floor landing. The larger unit includes a fourth bedroom within the roof void (straddling the party wall between No.106 and 108). All the bedrooms are of a ‘double’ size although the 3-bedroom unit is annotated as 4-person and the 4-bedroom unit is annotated as 5-person.

The GIA of each unit is 98.4sqm and 111.4sqm respectively. This would meet the Governments minimum internal floor space standard for a 3-bedroom, 4-person dwelling over 2 floors, and a 4-bedroom, 5-person dwelling over 3 floors - but this assumes that not all of the bedrooms would be occupied as ‘doubles’. Were the bedrooms to be occupied as ‘doubles’ the layout would not meet the minimum standard for a 3-bedroom, 6-person dwelling over 2 floors (102sqm), or for a 4-bedroom, 8-person dwelling over 3 floors (130sqm). However, as stated above, the location of the site, lack of private external amenity space and off-street parking provision means that the proposed accommodation would unlikely to be attractive to families. The layout which includes a comparatively small kitchen/living/dining room

suggests that the dwellings would most likely be occupied as small HMO accommodation (for up to 6 people) under the provisions of the GPDO which allows for a permitted change of use to Class C4. Although the layout could be amended to show single beds within some of the bedrooms, it is considered this would amount to an unnecessary contrivance.

Road traffic noise has been identified as having the potential to cause disturbance for future occupiers. However, the EHO is satisfied that this can reasonably be dealt with as a condition of planning permission.

Residential Amenity - Neighbours

The most affected neighbours are the occupiers of the nearby residential flats on the upper floors of this terraced parade fronting George V Avenue and turning the corner onto Goring Road.

The 3no proposed roof light windows are positioned high on the rear roof slope and would not give rise to unneighbourly overlooking.

The main concern relates to the potential use of the existing first-floor rear flat roof as an external terrace or sitting out area by the future occupiers, which it was considered could lead to intrusive overlooking of nearby windows (owing to the configuration of the terraced block) combined with possible noise and disturbance arising from its potential use as an amenity space.

The amendment to include cycle storage on the flat roof will minimise the scope for it to be used for large gatherings, whilst the inclusion of screen fencing up to a height of 1.8m will adequately mitigate the effects of overlooking.

Access and Highways

There is no on-site parking provision for either the retained commercial unit on the ground-floor or the proposed residential dwellings. There is access to a small bin storage area at ground-floor via a rear service yard which extends to the rear of the entire terraced parade (accessed from Goring Road).

The LHA has not raised any objection to the lack of car parking provision, taking account of the sustainable location of the site with good access to a broad range of local facilities and public transport.

Owing to the limited external curtilage there is no practical alternative to locating the cycle storage provision on the first-floor flat roof. However, the LHA has raised no objection to this.

Sustainable Development

The re-use of the previously vacant upper floors of this building is inherently sustainable. Thermal insulation will have been upgraded by the recently installed new windows and doors.

Policy DM17 requires all development resulting in new housing to incorporate renewable and low carbon energy production equipment to meet at least 10% of the predicted total energy requirements (after CO2 reductions from energy efficiency measures). It is anticipated that this requirement will be met by the proposed solar panels but precise details should be secured as a condition of planning permission.

CIL

This development is eligible for CIL based on the room created in the roof void (19sqm) plus the infill extensions implemented under AWDM/0787/23 (18.8sqm).

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Implement screen fencing to first-floor rear terrace prior to first occupation and retain
4. Implement cycle storage prior to first occupation
5. Works to implement the development hereby permitted shall not commence unless and until an insulation scheme for protecting the upper floor residential units from noise has been submitted to and approved by the local planning authority. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors. The approved scheme shall thereafter be implemented and before any residential unit is first occupied a test shall be undertaken and the results submitted to the local planning authority to demonstrate compliance.
6. Works to implement the development shall not commence until a scheme for protecting the proposed noise sensitive development from external 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 contained within the World Health Organisation community noise guidelines and achieve the recommended indoor and outdoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

7. A specification of the proposed solar PV array and an energy statement demonstrating that at least 10% of the predicted total energy requirements of the proposed development (after CO2 reductions from energy efficiency measures) will be met by renewable and low carbon energy production equipment shall be submitted to and approved in writing by the LPA. Thereafter the agreed specification and renewable and low carbon energy production equipment shall be implemented prior to first occupation of the development.
8. Hours of construction

Informative

Pro-Active Amendment
PSH team
CIL Informative
New address
Southern Water

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

Case Officer:	Jo Morin	Date: 5.01.2024
Authorised by:	Gary Peck	Date: 5 January 2024