Development Control – Delegated Officer Report

Application Number: AWDM/0704/14 Recommendation – APPROVE

Site: 61 South Street Lancing West Sussex

Proposal: Change of use of 4 bedroom maisonette on first and second floors to 1-bedroom flat and 2no. studios (part retrospective).

Date of site visit: 12.09.2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property consists of a 2-storey character property which has been enlarged on the ground-floor by a substantial single-storey flat-roofed rear addition which occupies virtually the entire rear curtilage and by a large box dormer on the front roof slope. The ground-floor is used as retail shop. The upper 2 floors formerly consisted of a 4-bedroom maisonette with self-contained access from South Street. The upper floors were converted into 3 x 1-bedroom flats in 2012 without planning permission.

There is space to park 1 vehicle on the forecourt in front of the retail shop but no other off-street provision. A small gated yard to the rear of the shop unit opens onto the exit drive leading from the South Street Public Car Park onto Penhill Road.

The surrounding area is varied in character, consisting of a mix of commercial and residential uses in close juxtaposition. The attached property to the north (No.57-59 and 2-12 Penhill Road) is in the ownership of the applicant, used as a garden centre and hardware shop on 2 floors. It has been enlarged by a substantial 2-storey addition at the rear. To the south, No.63 consists of a 2-storey, rendered, Victorian end-of-terrace dwelling currently in use as a dental practice.

The current application follows an initial complaint in 2012 concerning the conversion of the maisonette to create 3 1-bedroom flats on the uppers floors of this property. A retrospective application submitted later in 2012 seeking to regularise the development as built was withdrawn by applicant owing to concerns about the layout which does not meet Building Regulations requirements, and also due to concerns expressed by officers concerning compliance with the Council's adopted minimum floor space standards. The layout of the current application to provide 1 x 1-bedroom flat and 2 studio flats has sought to address these concerns.

A small area has been identified in the rear yard (accessible via the exit from the public car park) for bins and bikes.

Relevant Planning History

AWEN/0109/12 – complaint received concerning use as 3 flats 25.04.2012. Enforcement Notice was due to be served but is on hold awaiting the outcome of the current application.

AWDM/1118/12 – Retrospective application for conversion of existing three-bedroom maisonette above shop into three x 1-bedroom flats including rear dormer - Withdrawn

ADC/0047/10 Conversion of existing 3-bedroom maisonette above shop to 3 x 1-bedroom flats and addition of rear dormer – Withdrawn

Consultations:

West Sussex County Council: The Highway Authority has raised no objection commenting:-

"I refer to your consultation in respect of the above planning application and would provide the following comments.

The converted flats are to be situated in a sustainable location as the site is within walking distance of public amenities and have close links with the public transport network. The proposal would also not be anticipated to generate an increase in vehicle movements with respect to the existing residential use, and the peak usage times would not be expected to coincide with peak traffic levels in this area.

If the LPA are minded to approve this application a condition securing cycle parking should be included."

Lancing Parish Council: No objection.

Adur and Worthing Councils: The Environmental Health Officer (Housing Team) has no objection. The Environmental Health Officer (Environmental Protection) recommends a condition regarding hours of construction for implementation of any permission.

Representations: None received**.**

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH9 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.4 'Flat Conversions'
National Planning Policy Framework (CLG 2012).

Planning Assessment

Principle

There are no particular Local Plan policies relating to the sub-division of flats or maisonettes, but saved policy AH9 supports the conversion of dwelling houses into smaller self-contained units subject to an acceptable standard of accommodation being provided, there being no adverse amenity impacts on neighbouring properties and the provision of satisfactory parking and access arrangements. It states that the conversion of small family houses will not be permitted.

Although the submitted floor plans show the former maisonette had 3 bedrooms, it did not make an attractive family unit with no external amenity space or off-street parking provision.

Visual amenity

No external alterations to the existing building are proposed (and none were involved in respect of the unauthorised conversion that took place in 2012).

Residential amenity – effect on the amenities of future occupiers

The submitted floor plans show the altered layout of the flats would meet the respective minimum floor area standards for a 1-bedroom flat (45sqm) and studio (30sqm) flats. Each would be provided with adequate standards of natural daylight, outlook and amenity.

The layout has been amended to address the entrance to the top-floor flat (on the first-floor) and the siting of the kitchen, in order to address previous concerns expressed by the Principle Building Control Officer.

There is no amenity space provision but this is not always an essential requirement for smaller households.

The precise details of the bike/bin storage area would need to be agreed as a condition of planning permission.

Residential amenity – effect on the amenities of neighbouring occupiers

The ‘stacking’ arrangement is not ideal since the bed-sitting room of the top-floor flat would be located above a bedroom on the first-floor. However, the adequacy of sound insulation will be ‘tested’ under the Building Regulations.

There would be no adverse impact on the amenities of the adjoining properties which are not in residential use.

Accessibility and parking

There is no parking provision to serve any of the flats.

The site is within reasonable walking distance of shops and facilities in Lancing district centre, and is accessibly located in relation to Lancing rail station and bus routes with stops in nearby North Road and Grinstead Lane. No objection has been raised by the Highway Authority subject to the provision of cycle storage. The amount and type of cycle storage will need to be clarified as a condition of planning permission.

Recommendation

APPROVE subject to Conditions:-

1. Implement within 6 months of the date of this permission
2. Permission relates to approved plans
3. Agree precise details of the amount, design and construction of cycle storage and bin storage facilities prior to commencement of development

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 letter(s) of representation? N

Case Officer: Jo Morin Date: 16.09.2014

Authorised by: Gary Peck Date: 17 September 2014