expires 12/2

Development Control – Delegated Officer Report

Application Number: ADC/0581/08 **Recommendation - Application Permitted**

Site: **Offices Westover Church Street Shoreham-by-Sea West Sussex**

Proposal: **Change of use of groundfloor and basement offices to 2 maisonettes**

The Application

The application property is a four storey detached building (including basement) which was formerly a dwelling but is now in use as offices on the ground and basement floors with two self contained flats above. The building is within the Shoreham Conservation Area and located on the junction of North Street, St Mary's Road and Pond Road at the northern end of Church Street.

It is proposed to convert the ground floor and basement from offices into two maisonettes (1 x 1-bed and 1 x 3-bed). There are two existing car parking spaces to the south of the building which are to be retained. No external alterations to the building are proposed.

Since the original submission, the plans have been amended in order to achieve a more acceptable internal layout and to avoid unsatisfactory 'stacking' arrangements between the proposed maisonettes.

Consultations and Representations

Consultations/Comments

West Sussex County Council – The Transport Planning Officer has no objection to the application subject to provision of cycle storage on site

Adur District Council – The Environmental Health Officer has concerns regarding the lack of natural light to the basement rooms particularly those rooms on the south and east elevations. He also expressed concerns regarding the means of escape from the bedroom areas in the event of a fire (NB this latter point is a matter which is usually dealt with under the Building Regulations).

Third Parties

None received

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005) (saved policies): LOC1, NE1, CH1, CH4, ERA1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB3-6, AH5, AH9, and Appendix 11 'Supplementary Planning Guidance' comprising: - Development Control Standard No.3 'Extensions and Alterations to Dwellings' and No.4 'Flat Conversions'
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
Planning Policy Statement PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG15 'Planning and the Historic Environment' (DoE 1994)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

Structure Plan policies seek to protect and, where possible, enhance the character and distinctiveness of areas, requiring high standards of design, layout and construction (DEV1). The provision of more dwelling units would help meet the housing requirements of the Structure Plan (NE1) and for small households (AH5).

Policies CH4 and AB3-6 seek to ensure that new development preserves or enhances the Conservation Area. AB6 states that applications involving a change of use should retain original features wherever possible.

Policy AH9 of the Local Plan states that the conversion of dwellinghouses into smaller self-contained units will be permitted providing that: access and car parking provision is acceptable; the proposal would not have an unacceptable adverse effect on neighbouring properties in terms of overlooking or noise transmission through party walls and the type of property concerned and the standard of accommodation to be provided accord to the adopted standards. However, it also states that the conversion of small family houses to flats will not be permitted.

Development Control Standard No. 4 'Flat Conversion' states that conversion of small family houses (less than 100sqm internal floor area or 3 or less bedrooms) will not normally be permitted and that the effect on the character of the area (e.g. through loss of front garden to forecourt parking) will be an important consideration. It states that conversion of semi-detached or terraced dwellings to flats is not favoured because of potential noise disturbance (e.g. from a proposed kitchen or living room adjoining a neighbouring bedroom). If

this cannot be minimised by appropriate 'stacking' and 'side-by-side' layouts, the onus will be on the applicant to prove that adequate sound insulation measures can be provided. It also states that where conversions include the addition of an extension, or any other material change to the exterior of the building, the effect of these on the property itself, on adjoining premises and on the local environment generally must be considered, and that conversions should result in an acceptable amount of amenity space for each flat.

PPS3 contains no specific guidance on flat conversions except for the general statement that 'Conversions of existing housing can provide an important source of new housing' (para 31). It advises LPAs to 'take account of the need to deliver low cost market housing as part of the housing mix' (para 26). This is against the background of the overall objectives of delivering high quality well-designed housing; a mix of housing, including tenure and price, to support a wide variety of households; sufficient quality and improved choice; and locations close to jobs and facilities.

Character and Principle

The top floors of the building are already in use as flats and it is therefore considered that it would be difficult to resist this current application in principle. The building is within a mixed commercial and residential area but is on the 'residential side of the road.' The use of the entire building for flats would not be out of character with the nature of surrounding development and would return it to its former sole residential use.

Residential amenity

While the original submission was considered to show an unsatisfactory layout, the amended plans show a more acceptable living arrangement. The two maisonettes comprise a small one bed unit with the bedroom in the basement and a living room/kitchen above, accessed from the existing entrance on the southern side of the building.

The larger unit is accessed from the north side and has two bedrooms in the basement with a third study bedroom, living/dining room and kitchen above. This arrangement avoids undesirable stacking between the proposed flats although there will be some conflict with the first floor flat, the bedrooms of which would be above the living room/kitchen of the smaller maisonette and whose kitchen would be above the 3rd bedroom of the larger maisonette.

However, Annex 7 of PPG24 states that the Government considers that the Building Regulations are the most appropriate means of control for sound insulation in conversions and that planning conditions should not be used to control sound insulation in such cases. It refers to 'Approved Document E – Resistance to the Passage of Sound' which was updated in June 2004 and a sound test is now required to be carried out to justify the adequacy of sound insulation between new dwellings (including conversions).

The Environmental Health Officer expressed concern at the potential for lack of light to the basement rooms. However, basement contains only bedrooms which would receive light through north-facing windows, two of which are bay windows, while the other rooms in the basement are bathrooms which arguably do not require natural light. The main living rooms, where it is more important to receive natural light, are on the ground floor and are adequately served by large bay windows.

The other Environmental Health concern related to means of escape but this is more of a matter to be considered under the Building Regulations.

Amenity space

There is no external amenity space available for the proposed maisonettes. While this does not comply with the Council's Standard, which recommends a 20sqm area for each flat, the existing flats also do not have any amenity space. The site is within a town centre location where it is often difficult to achieve the usual standards for amenity space and parking that can be more easily met in more suburban locations. On balance, it is not considered that the lack of amenity space would be a sustainable reason for refusal in this case.

Parking and access

Two car parking spaces are shown on an area directly to the south of the building. These spaces exist and it is not clear whether they were previously associated with the offices or the existing flats. Nevertheless, the site is in a sustainable town centre location and the level of provision is considered to be adequate. Following the receipt of the comments of the Highway Authority, amended plans have been received showing cycle parking provision in the form of four storage racks adjacent to the parking spaces. This will need to be amended to be a covered and secure storage facility but this can be controlled by condition.

Refuse storage

There is an existing bin store for 5 bins which is hidden from public view behind a wall adjacent to the vehicular access. This can be enlarged relatively easily without having a significant impact upon the surrounding area.

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment and Conservation Area. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with