~~PC 29/6/07~~
Expiry 19/7/07

Development Control – Delegated Officer Report

Application Number: ADC/0304/07 **Recommendation –Permit Application**

Site: **34 - 36 South Street Lancing West Sussex**

Proposal: **Change of use from offices to 4 one bedroom flats (tenanted occupancy); with internal alterations only required-plus two new garages/stores; amended parking/garaging-new extractor duct from restaurant on ground floor**

The Application

The site is located within the built up area of Lancing and falls within the shopping and business policy area as allocated in the Adur District Local Plan. The site forms the first floor of a two storey building which currently accommodates three commercial units at ground floor which comprise of a café, pet shop and funeral parlour.

To the north of the site is the main shopping area of Lancing, to the east on the opposite side of the road is The Farmers Public House, to the south the land use is predominantly residential. To the west, rear of the site are residential detached properties sited at right angles to the existing building 34-36 South Street. Directly to the rear of the site there is a car parking and servicing area with four single garages and unmarked parking space for approximately seven cars. There are rear entrances to the commercial units at ground floor level and access to the first floor which currently has permission to be used as three offices.

A previous application was submitted for a similar scheme under application reference ADC/0080/07. This application sought permission to convert the first floor offices to four residential one bedroom flats. The application was withdrawn following discussion with the applicant with regards to the existing extraction system at ground floor level in relation to the 'Rainbow Café.' There were objections from the Council's Environmental Health Officer with regards to the impact of this extraction system with regards to noise and odours which would be unacceptable and detrimental to the residential dwellings proposed. Clarification was also required from officers as to the parking layout to the rear of the building and how the parking spaces and garaging will be used by the existing units and proposed flats.

The current application seeks permission to change the use of the existing first floor office accommodation to four one bedroom flats as previously proposed however external changes are also proposed to show an improved new stainless steel extraction duct and two new garage/store buildings to be erected in the parking area for use of 'Pet Care' one of the ground floor units. The application also provides details of the allocation of parking spaces for

the existing ground floor units and the proposed flats. One garage is provided for each of the one bedroom flats, a cycle storage area is also shown along with an allocated bin storage area.

Consultations and Representations

County Planning Services: - No objection – a car parking space is provided per flat and space is also provided for the ground floor commercial units. Cycle parking is also being provided. No TAD contribution is required in this case.

Lancing Parish Council: - No objection

Director of Services: - The EHO has no objection. The fan and motor housing to be fitted internally as described with flexible joints and anti vibration mounts. The ducting should also have anti vibration mounts. I would however recommend that no terminal be allowed so as to obtain full efflux velocity and so aid dispersal.

Third Parties: - One letter of objection from property to the rear of the site and one letter received from the occupier of the ground floor unit Pet Care objecting for the following reasons: -

- The rear garden will be overlooked by 4 additional households, loss of privacy.
- Increased noise and disturbance, vehicular movement, spoil the tranquillity of garden.
- Offices not used during evenings and weekends.
- The conversion of the adjacent building above 'Alldays' to flats should not set a precedent for this development.
- The two garages currently used by pet care are fitted out for appropriate use the 2 new garages will not be fitted the same.
- Object to reallocation of parking spaces.
- Where will visitors park
- Deliveries are twice a week.
- Access required for other units.
- The bin store is inappropriately located and should be locked.

An additional representation has been received from the Funeral Business adjacent to the site. They have no objection to the proposal however are concerned that the bin stores are in close proximity to the chapel of rest and the associated smell would be unsatisfactory in respect of their clients.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-2016 (2005): LOC1, CH1, CH4, NE1, NE2, ERA1, DEV1, DEV3, DEV4
Adur District Local Plan 1993-2006 (1996): AG1, AG3, AB3, AH1, AH2, AH5, AT12 and Appendix II 'Supplementary Planning Guidance' comprising Development Control Standard No. 2 'Space Around Dwellings and Flats' and Development Control Standard No. 4 'Flat Conversions.'
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): H1, H3, T3
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

Policies

The principle of residential development is accepted in this case by Policies AG1 and AH2 of the Adur District Local Plan. Policy AH2 states that new residential development will be acceptable provided that the character, design and scale are in keeping with the surrounding area, it does not have an unneighbourly impact, it incorporates adequate standards of residential amenity, access and parking arrangements accord with Policy AT12 of the Adur District Plan and proposal accords with the standards adopted by the District Planning Authority. Policy DEV1 of the West Sussex Structure Plan states amongst other things that development should minimise conflicts between land uses and activities.

Residential Amenity

The main property to be affected in this case is Downside, Elm Grove which is located to the rear (west) of the site. As existing the first floor rear windows which are currently offices overlook the rear garden of this property, however these offices are used for limited hours. The proposed change of use to residential will result in four rear bedroom windows overlooking the garden area of the neighbouring property. There is a distance of 15 metres between the boundary of this property and the rear of 34-36 South Street and a distance of 17 metres between the rear of the dwelling house and the proposed bedroom windows. It is considered that there will be overlooking to the rear garden area of the neighbouring property however this is not such to warrant a refusal in this case. The Council's Design Standards state that there should be a minimum distance of 22 metres between principle windows and therefore in the light of this requirement it is considered that this relationship is acceptable.

With regards to the residential amenities of the future occupiers of the flats it is considered that the internal accommodation provided is acceptable in this case. It is acknowledged that no outside amenity space is provided however as the site is located within a town centre, high density site, it is considered that this is acceptable. The site is in an appropriate location for small units of

residential accommodation of this type due to the close proximity of shops and services and public transport links. Local Plan policies promote the use of floor space above commercial premises within town centres and sustainable locations to provide residential accommodation to provide more units for single people, couples and the elderly.

As mentioned a previous application was submitted which the Council's Environmental Health Officer objected to due to the impact of the existing extract system on the future occupiers of the proposed flats. Proposed as part of this current application is a new extract system. There have been no objections raised by Environmental Health and the new system is considered to be an improvement to the existing system by reducing noise and odours to an acceptable degree so as not to affect the residential amenities of the future occupiers of the proposed flats.

Parking and Highways

There is an existing vehicular access to the site from South Street which serves the existing commercial units at ground floor level and office space above. There is parking available for approximately seven cars and four single garages. The plans provided show how this parking is proposed to be divided between the existing commercial units and the proposed flats. Two new single garages are proposed in the south west corner of the site which are for use by 'Pet Care' one of the ground floor units for storage. This is to replace the existing garage/stores which are currently used by this unit. The four single garages which are existing are to be allocated to the four flats, therefore providing one parking space per flat. Cycle parking is also proposed within the site. The Highways Authority have no objection in this case and consider the parking provision for the proposed and existing uses at the site to be acceptable in this case. The site is located within a sustainable town centre location in close proximity to local services and public transport links.

Other Issues

With regards to the objections raised by the occupier of Pet Care these issues have been raised with the applicant to discuss and attempt to resolve with the occupiers concerned. In principle the parking provision is acceptable and therefore these issues are not considered to be such to warrant a refusal in this case.

In additional the concerns with regards to the bin store and its proximity to the adjacent Funeral Directors, a condition is attached to require that details are submitted in relation to the proposed bin storage and it therefore can be ensured that the enclosure is appropriate in this case and the bin stores could possibly be moved to a more appropriate location within the site.

Recommendation

APPROVE for reason that :- 2PPi

1. C1Ci (Standard time limit)
2. The dwellings hereby permitted shall not be occupied until details of the cycle stores have been submitted to and approved in writing by the LPA and work shall be carried out in accordance with such details and shall remain as a cycle store incidental to the use of the proposed development. Reason: To ensure adequate provision for cycle storage on site and to promote the use of sustainable transport to comply with policy AT12 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.
3.C18K (Provision for waste storage)
4. Prior to the occupation of the flats hereby permitted the proposed extraction system shall be installed in accordance with the details submitted to and agreed by the Local Planning Authority as part of this planning application dated 24th May 2007. This system as approved shall thereafter be retained in effective working order and operated at all times when cooking is taking place.
Reason: - In the interests of amenity and to comply with policy AP7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.

Case Officer....J Barker.....Date...4/7/07.

CJ 4/7/07

Head of Planning and Community.....[signature].....Date....6/7/07....

Chair of Planning Committee....A. J. Mills.....Date.....12/07/07.