Expiry Date - 28/09/2023

# Development Control – Delegated Officer Report

**Application Number: AWDM/1073/23 Recommendation – APPROVE**

**Site: Southdown Inn 38 Northcourt Road Worthing West Sussex**

**Proposal: Conversion of Public House to provide 3no. 2-bedroom flats, 1no. 1-bedroom flat, 1no. 4-bedroom flat and proposed single storey 1no.1-bedroom dwelling and 1no. 4-bedroom dwelling (7no. dwellings in total); with associated elevation alterations and ground and first-floor extensions; 3no. parking spaces for dwellings utilising existing vehicular accesses from Northcourt Road and King Street. Varation of Condition 1 Approved plans of AWDM/1950/19 for alterations to the layout of dwellings A and B involving raised ridge to rear extension and insertion of first-floor window to North elevation (Amended Plans).**

**Date of site visit:** 08.08.2023

**Neighbours checked:** Y

**Additional neighbour notifications**: Y – Amended plans (3 King St and 40 Northcourt Rd)

**Site, Surroundings and Proposal**

The application relates to a former public house located on the corner of Northcourt Road and King Street within an inner residential suburb of the town.

Planning permission was granted with conditions under AWDM/1950/19 for conversion and extension of the building to provide 3no 2-bedroom dwellings, 2no 1-bedroom dwellings and 2no. 4-bedroom dwellings (7no in total) with 3no parking spaces utilising the existing vehicular accesses from Northcourt Road and King Street. This permission was varied by AWDM/0066/23 to allow strip out and site clearance works to be undertaken prior to approval of conditions 16 and 17 (surface water and foul drainage). Site works have commenced.

The current application seeks a variation to the approved plans for Dwellings A and B.

<u>Dwelling A</u>

- Revised internal layout repositioning the proposed lightwell (open to the sky). To allow access from the proposed living area with bi-fold doors.

<u>Dwelling B</u>

- Minor adjustment of the ground-floor plan arising from a slight widening of the lightwell (open to the sky) for Flat 2 including reconfiguration of stairs.
- Minor reconfiguration of proposed single-storey extension (kitchen) to omit dog-leg. Windows in North elevation reduced from 2 to 1.
- First-floor component narrowed from 4.2m to 3.4m wide with minor changes to internal layout.
- Rooflights on north roof slope reduced in number from 3 to 1 and on south roofslope from 2 to 1. New first-floor window in north elevation (Bedroom 3).
- Formation of flat roof over Bathroom to create additional headroom (where existing offshoot joins north wall of main building).
- Angle of roof pitch to offshoot altered from 40º to 45º with increase in ridge by 300mm. Reduction in length of ridge from 8.4m to 7.8m.

To the west, the site is adjoined by a terrace of two-storey Victorian rendered cottages, positioned slightly forward (south) of the main pub building. The blank flank gable wall of the end terrace, No 40, abuts the common boundary.

Adjoining to the north fronting King Street is an attractive terrace of two-storey, Victorian brick-built cottages with rear outriggers. The flank wall of No 3 adjoins the common boundary.

**Relevant Planning History:**

AWDM/1950/19 Conversion of Public House to provide 3no. 2-bedroom flats, 1no. 1-bedroom flat, 1no. 4-bedroom flat and proposed single storey 1no.1-bedroom dwelling and 1no. 4-bedroom dwelling (7no. dwellings in total); with associated elevation alterations and ground and first-floor extensions; 3no. parking spaces for dwellings utilising existing vehicular accesses from Northcourt Road and King Street. Permitted 01.05.2020.

AWDM/0066/23 Application to vary wording of pre-commencement conditions 16 (surface water drainage scheme) and 17 (foul and surface water disposal) pursuant to consented planning application AWDM/1950/19 to allow works of site survey/investigation, strip out and site clearance only to be undertaken prior to submission of the relevant details for approval. (AWDM/1950/19: Conversion of Public House to provide 3no. 2-bedroom flats, 1no. 1-bedroom flat, 1no. 4-bedroom flat and proposed single storey 1no.1-bedroom dwelling and 1no. 4-bedroom dwelling (7no. dwellings in total); with associated elevation alterations and ground and first-floor extensions; 3no parking spaces for dwellings utilising existing vehicular accesses from Northcourt Road and King Street.) Permitted 16.03.2023

AWDM/0093/23 Approval of Details Reserved by Conditions 3 (samples), 4 (windows and doors), 5 (rooflights), 7 (atrium details) and 14 (CMP) of AWDM/1950/19. Approved 24.03.2023

AWDM/1255/23 Approval of Details Reserved by Conditions: 16 (Surface water drainage) & 17 (Surface and foul drainage) of AWDM/0066/23. Approved 20.11.2023

**Consultations:**

***WSCC:*** The Local Highway Authority has no objection.

The Fire and Rescue Service (Water & Access Manager) comments that evidence is required to show that all parts inside all apartments 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:***

Southern Water has no objections to the above variation of condition 01.

Please be aware that the property is already built over existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth of the sewer it will be necessary for the applicant to contact Southern Water.

All other comments in our response dated 25/02/2020 remain unchanged and valid for the amended details.

***Adur and Worthing Councils:***

The ***Private Sector Housing team*** requests the following Informative is attached:-

*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, livingroom, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.*

*In this case, Dwelling A has a completely inadequate outlook from its main habitable space looking out only into a fully enclosed light well. This will also limit the through ventilation. Similarly the bedroom for flat 2 has a completely inadequate outlook from its main habitable space looking out only into a fully enclosed light well, which is overlooked from the window of Bedroom 2 to Flat 4 above. The enclosed lightwell will also limit the through ventilation.*

*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.*

***EHO (Public Health):*** No comment.

**Representations:** Objections have been received from the owner of 3 King Street and 36 Northcourt Road, raising the following concerns:-

- Have been in communication with your Department since 2017 regarding this site and concerning the various developers of which there have been at least four. I was assured that works would start shortly but have not commenced [at the time of writing];
- Have doubts about this proposal because of the car access from King Street and damage that could be caused to my property, the south facing wall where gates have been erected is my boundary and will have to be removed and my wall re-plastered with a lime-based plaster. Nothing should be attached to the boundary walls belonging to No.3 but a hedge could be grown (providing it is maintained).
- I'm sure the Planning Department will carry out regular inspections to ensure the work is carried out according to schedules given.
- First-floor window will result in a loss of privacy.
- I live directly opposite and strongly object. The amount of parking spaces provided is inadequate for the number of occupants – there are major issues locally with lack of parking.
- The properties will overlook into my garden causing a loss of privacy.

**Relevant Planning Policies**

Worthing Local Plan (2023): policies: SP1, SS1, DM1, DM2, DM5, DM15, DM16, DM17, DM18
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPD 'Space Standards' (WBC, 2012)
SPD 'Guide to Residential Development' (WBC, 2013)
West Sussex Guidance on Parking at New Development (WSCC 2019)
CIL Charging Schedule

**Planning Assessment**

The principle of the development has been approved by the permission AWDM/1950/19, varied by AWDM/0066/23 and now commenced.

The key considerations are the effects on visual and residential amenity. Policy DM5(c) states that to ensure the quality of approved development is not materially diminished between permission and completion, where appropriate, the Council will resist subsequent planning applications that would impact negatively on the design and quality of the approved scheme.

**Residential Amenity**

<u>Future Occupiers</u>

Notwithstanding the comments of the Private Sector Housing team, the reconfiguration of the layout to create larger lightwells (open to the sky) for Dwelling A and Flat 2, both with direct access from the habitable rooms, is an improvement on the initial approved plan.

Dwelling B will now be a 4-bedroom 6-person unit instead of a 4-bedroom 7-person unit.

Both dwellings A and B will meet the so-called nationally described minimum floor space standard.

Impact on Neighbours

The proposed increase in ridge height of the rear offshoot is minor and will have no adverse impacts for the amenities of the adjoining occupiers.

The proposed first-floor window in the north elevation of Dwelling B would directly overlook the rear offshoot of 3 King Street and the rear elevation of No.3 at an oblique angle. There is a ground-floor window and door opening in the south side of the rear offshoot of No.3, but no openings at first-floor. The main habitable rooms have an outlook to the rear (west). The proximity to the common boundary (approximately 6m) would justify a requirement for the proposed window to be obscure-glazed with only a fanlight opener. This would safeguard the amenities of No.3. Although this requirement would curtail the outlook from Bedroom 3, the standard of amenity would be no worse than the previous layout which relied wholly on roof lights for this room.

There would be no other adverse impact on residential amenity arising from the proposed changes.

**Visual Amenity**

The increase in angle of roof pitch from 40º to 45º will be barely perceptible in the street scene and the scale and appearance of the offshoot will continue to be subservient to the more decorative main building.

The proposed first-floor flat roof element will sit below the adjacent ridge and will not be visible in the street scene of King Street or in angled views from Northcourt Road. Although this rather awkward feature will be visible across the rear gardens and through the gaps between buildings from Brittany Road to the west, these will be distant views and it will not appear so unsightly or obtrusive as to warrant refusal.

**Recommendation**

**APPROVE** Subject to conditions:-

1. Approved plans
2. [time limit – commenced]

3. Implement in accordance with sample materials for extensions/alterations and works of making good (including replacement boundary wall) agreed under AWDM/0093/23
4. Implement in accordance with details of all new and replacement windows (including heads, cills, reveals) and doors (including to bin store) agreed under AWDM/0093/23
5. Implement in accordance with details of conservation style rooflights (specification and sizes) agreed under AWDM/0093/23
6. The decorative verge, profiled eaves detail and rafter feet of the gable extension fronting King Street shall be implemented using materials, profile and detailing to match that existing as shown on the approved Drawing: 00P 115 Rev B (Proposed East Elevation) and 00P 116 Rev C (Proposed North Elevation)(AWDM/1950/19) unless otherwise approved in writing by the Local Planning Authority.
7. Implement light-wells (open to the sky) as shown on the approved floor plan 1190-05 REV b
8. The lower sashes of the first-floor windows in the west side elevation shown on Drg: 1190-04 REV c (serving Flat 4) shall at all time be fitted with obscured glazing. The first-floor window in the north elevation shown on Drg: 1190-04 REV c (serving Dwelling B) shall at all times be of obscured glass and be non opening (except that part which is above 1.6 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.
9. The opening edge of the rooflights hereby permitted on the north, south, west and east roof slopes of the building(s) shall be positioned not less than 1.6 metres above the floor of the room in which the rooflight is located.
10. Remove ‘pd’ rights for extensions and alterations to Dwellings A and B.
11. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
12. 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 in writing by the Local Planning Authority.
13. Hours of Construction
14. Implement Construction Management Plan in accordance with details approved under AWDM/0093/23
15. No part of the development shall be first occupied unless and until:-
    - i) The replacement boundary wall fronting Northcourt Road and King Street has been constructed in accordance with plans and details of its design and appearance which have been submitted to and approved in writing by the Local Planning Authority.
    - ii) Gates enclosing the courtyard garden (Dwelling B) have been carried out in accordance with plans and details of their siting, design and appearance which have been submitted to and approved in writing by the Local Planning Authority.
    - iii) Boundary treatments on the north and west site boundaries have been repaired or replaced in accordance with details which

have been submitted to and approved in writing by the Local Planning Authority.

16. Implement proposed surface water drainage scheme in accordance with details approved under AWDM/1255/23. No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
17. Implement foul and surface water sewerage disposal in accordance with details approved under AWDM/1255/23
18. Agree and implement hard and soft landscaping
19. Agree design details and surfacing of access ramp to flats

**Informative**

1. Pro-active amendment
2. New Address
3. It is recommended that all gas-fired boilers provided in relation to the development meet a minimum emissions standard of 40 mg NOx/kWh in order to sustain compliance with national objectives for NOx.
4. Formal application to Southern Water required for connection to public foul sewer
5. Some aspects of the development may result in hazards under the Housing Act 2004.

**Is recommendation contrary to letter(s) of representation? Y**

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| Case Officer: | Jo Morin | Date: 20.11.2023 |
| Authorised by: | Gary Peck | Date: 20 November 2023 |