expires 13/8

Development Control – Delegated Officer Report

Application Number: ADC/0327/08 **Recommendation - Application Permitted**

Site: **50 - 52 High Street Shoreham-by-Sea West Sussex BN43 5DA**

Proposal: **Change of use of first and secondfloor offices into 2 flats (a two-bedroom flat and a one-bedroom flat above)**

The Application

The site lies on the corner of the High Street and John Street and consists of two floors of vacant office space over a bakery/café on the ground floor. Access to the upper floors is via a side door in John Street. It is proposed to convert the upper floors to form a 2 bedroom flat on the 1st floor and a 1 bedroom flat on the 2nd floor. A bike store and bin store will be provided on the 1st floor shared landing.

Consultations and Representations

Consultations/Comments

West Sussex County Council: The Transport Planning Officer has no objection to the application. The property is in a sustainable location. Cycle parking should be included. There are also no archaeological or conservation architecture objections.

Adur District Council: The Environmental Health Officer had concerns over the limited head room in the 2nd floor flat

ADCAG: No objection

Third Parties

No third party comments received

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, NE1, CH1, ERA1, DEV1, DEV2, DEV4, DEV5

Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AH5, AH9, AS1 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.2, 'Space Around New Dwellings and Flats' and No.4, 'Flat Conversions'.
PPS 1 'Delivering Sustainable Development' (ODPM 2005).
PPS3 'Housing' (DCLG 2006)
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). Policy DEV2 promotes mixed use development in order to promote vitality and diversity within towns and villages. The provision of more dwelling units would help meet the housing requirements of the Structure Plan (NE1) and for small households (Local Plan policy AH5).

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. It also states that the conversion of small family homes will not be permitted. While the application relates to space above a shop rather than a family home, the principles established in Policy AH9 are considered to be applicable.

Policy AS1 seeks to prevent the loss of residential accommodation at upper floor level within shopping areas.

Similarly, while not covered in Development Control Standard No.4 'Flat Conversions', the principles within that document can be applied here. It states, among other criteria, that conversions should result in an acceptable amount of amenity space for each flat (minimum of 20sqm per 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 quantity and improved choice; and locations close to jobs and facilities.

Residential amenity

While there are no standards for room sizes for flat conversions above shops, DC Standard No.4 does provide a useful guide. The 1st floor meets the minimum size for a 2 bedroom flat while the individual room sizes also meet the standard. The 2nd floor accommodation is smaller, being restricted by the roofslope, resulting in a narrow bedroom and living room/kitchen which fails to meet the minimum room size standard. The overall floor area of the flat will also be below the minimum recommended size of 45sqm for a 1 bed flat at 28sqm, resulting in a relatively cramped accommodation. However, it will just be below the recommended size for a bedsit flat (30sqm) and it is considered that there is a demand for small units of accommodation within the town centre. Furthermore, the proposal makes good use of the upper floors of a commercial property and will assist the vitality of the town centre. It is therefore considered that, whilst small, the accommodation to be provided is of an acceptable standard.

The internal room arrangements will result in the bedroom of the 2nd floor flat being above the living room/kitchen of the 1st floor flat and the bedroom of the 1st floor flat being below the living room/kitchen of the 2nd floor flat. 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). It is considered that the requirements of the Building Regulations are sufficient to insulate against noise disturbance in this case.

Amenity space is shown as being provided for the 2nd floor flat by forming an opening on the rear elevation to access a small area of flat roof measuring just over 3sqm. The 1st floor flat has no external amenity area. However, given its town centre location, it is not considered that external amenity space should be expected to be provided.

Access and Parking

The site has no parking provision, as is currently the case. However, in view of its sustainable location within the town centre, it would be unreasonable to expect parking to be provided. A secure bike store is to be included. There is no highway objection to this proposal.

Recommendation

APPROVE for reason that :-

2PPi

Subject to

1. C1Ci
2. No development shall take place until details of any railings/privacy screen to be erected on the proposed roof terrace have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the agreed details.
   Reason – In the interests of visual amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan

Case Officer..P. Barnes..... Date..7/8/08