Development Control – Delegated Officer Report

Application Number: AWDM/1166/15 Recommendation – APPROVE

Site: 34 North Road Lancing West Sussex BN15 9AT

Proposal: Change of use of part of ground floor and first floor at rear from Use Class A2 (financial and professional services) to 2 no. one-bedroom flats. Replacement shopfront.

Date of site visit: 20.10.2015

Neighbours checked: Y

Additional neighbour notifications: Y – Amended Plans

Proposal, Site and Surroundings

The application relates to a former bank premises (now vacant) occupying the ground-floor and part of the first-floor of a 2-storey end-of-terrace building on the east side of North Road, within the primary shopping area of Lancing. The remainder of the first-floor toward the front of the building is in use as flats accessed via external steps off a 'covered way' on the north side of the building. The application site includes a tarmac car park to the rear of the building accessed from Meadow Lane. The 'covered way' provides pedestrian access between North Road and the rear car park and Meadow Lane beyond.

Attached to the south side is a retail shop with residential flats above. To the north of the site is Lancing Post Office, which is serviced by a vehicle access drive along its south side.

Permission is sought to sub-divide the ground-floor unit, with the front part retained in commercial use (Class A2) and the rear part converted into a 1-bedroom flat.

At first floor the rear part of the building, formerly used as offices in connection with the bank, is physically separated from the front part of the building by a single-storey flat roofed element and an open access way running parallel to the rear of the building, which serves the existing first-floor flats in this block. The former ancillary offices within the rear part of the building are accessible internally from the ground floor and also from external stair and communal rear access way. It is proposed to convert the offices to a 1-bedroom flat, removing the internal stairs, with access to the flat solely from the shared access way and existing external stairs.

In addition permission is sought to remove the existing bank frontage and install a new powder-coated metal framed shop front above a masonry stall-riser finished with marble tiles to match the adjacent shop unit.

Consultations:

WSCC: The Highway Authority has raised no objection, commenting:-

"The site is situated in the town centre of Lancing off the 'C' classified North Road which is subject to a 30mph speed restriction in this location. Although heavily trafficked there are pedestrian crossings in the vicinity and the traffic in this location is likely to be travelling at lower speeds. The access to parking is as existing, there are no proposed alterations. This access spurs off the private Meadow Lane to the south and leads to a parking area to the rear of the property.

The application form states that six existing spaces will be retained. It is understood that one space per flat will be available. It should be taken in to account that there are two existing flats which are also likely to be utilising this area for parking. However, on the basis that these flats are also allocated one space each then four spaces will be utilised and according to the application form still two spaces remain for additional parking/ visitor parking. This meets with the WSCC Car Parking Demand calculator which would anticipate that five spaces be provided for a development of this size and location.

The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There have been no recorded injury accidents at Meadow Lane's junction on to North Road or within the vicinity of the vehicular access to the rear of the site. There is no evidence to suggest that the junction is operating unsafely, or that the proposed change of use would exacerbate an existing safety concern. It is not anticipated that the additional traffic movements that may result from this proposal would have a detrimental effect on the Highway network.

The change of use would be beneficial to a sustainable way of living. The property is within the primary shopping area of Lancing. Bus stops and Lancing Train station are within walking distance and cycling would be an attractive option and would provide opportunity for a sustainable mode of transport at this location. The applicant has provided storage space for two cycles and these should be kept in perpetuity.

The LHA does not wish to raise any Highways concerns as a result of this proposal. If the Local Planning Authority is minded to permit the application then conditions securing cycle storage and vehicle parking would be advised."

Southern Water: No objection is raised. It is requested that an informative is attached to any permission advising the applicant that a formal connection to the public sewerage system is required.

Lancing Parish Council: No objection.

Adur and Worthing Councils:

The EHO (Housing) expresses concern that the only outlook from the habitable rooms on the ground-floor is onto a car park. It is assumed that the nearest parking spaces are not exclusive to the occupants in which case cars reversing into the spaces would cause fumes and smell to enter the property

as well as associated noise problems. If permission is granted it is requested signs are erected to request that vehicles do not reverse into these spaces.

The Contaminated Land Officer recommends an informative relating to possible asbestos within the building.

The Council's Engineer has no comment.

Representations:

One letter of representation has been received from the occupier of the shop unit at 32 North Road commenting that commercial embroidery machines are used within the shop adjacent to the living room of the proposed ground-floor flat. Adequate sound-proofing should be installed to prevent neighbour problems in the future.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AS1, AH9 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.4 'Flat Conversions'
National Planning Practice Guidance
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

Saved policy AS1 seeks to protect and enhance the shopping role and function of the existing town centres within the District to allow for a choice of facilities for all members of the community. Development involving the loss of existing shopping provision (Classes A1 and A3) is not supported where it would detract from the character and vitality of the shopping centre. It is recognised that some offices and financial and professional services require town centre locations and saved policy AE6 allows for Class A2 uses within the main shopping areas subject to consideration of the need to retain the character, viability and vitality of the shopping centre concerned. There are no local plan policies relating to changes of use from Class A2 to other uses. Saved policy AH9 specifically relates to the sub-division of dwelling houses into smaller self-contained flats.

Paragraph 23 of the NPPF states that local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; promote competitive town centres that provide customer choice and a diverse retail offer whilst recognising that residential development can play an important role in ensuring the vitality of centres.

In this case 129 sqm of gross internal floor space would be retained in Class A2 use at the front of the building. This unit could also be used for Class A1 purposes under the provisions of the GPDO 2015. It is considered a unit of this size would continue to be viable for retail or retail-related purposes but it is important that in addition to the proposed replacement shopfront the re-

located WC facilities shown on the drawings are provided prior to first occupation of the proposed flats to maintain the commercial attractiveness of this unit and ensure the likelihood of it being re-let in a timely manner.

Residential amenity of Future Residential Occupiers

The ground floor flat would have a GIA of 53sqm and the first-floor flat a GIA of 49sqm which in both cases exceeds the Council's minimum standard of 45sqm for 1-bedroom flats set out in DC Standard No.4 'Flat Conversions'.

As initially submitted, the ground-floor flat had a sole east-facing aspect onto the car park to the rear. The EHO expressed concern over the resulting quality of accommodation for the future occupiers, and the likely noise and inconvenience caused by vehicles movements close-by, glare from headlights, exhaust fumes etc. and with limited privacy.

Following discussions an amendment has been sought involving the creation of a squared, flat-roofed 'bay' as a device to direct views north and south with only high-level windows in the east wall facing the car park. This would offer the occupiers of the proposed flat an outlook at the same time as providing a degree of physical separation from activity in the car park. The resulting accommodation would not be ideal, since only a narrow aspect would be provided to the north and south, but is preferable to the initial arrangement and on balance is considered acceptable.

The third party has raised a query relating to possible nuisance to the future occupiers arising from the use of sewing/embroidery machines in the neighbouring shop unit. The proposed ground-floor flat is located in the former 'strong room' of the bank which benefits from thicker than normal walls. Nevertheless it is considered pertinent to impose a condition relating to sound insulation.

Effect on the Living Conditions of Neighbouring Occupiers

There are first-floor flats towards the front of the application property (fronting North Road) and above the other shop units in this block. There would be a distance of approximately 7m between the west-facing window in the proposed first-floor flat (shown as serving the kitchen) and windows in the rear of the existing flats. Following discussions with the applicant's agent it is proposed that the lower part of the kitchen window will be obscured with only the fanlights clear-glazed to protect both the occupiers of the existing flats and proposed new flat from the effects of over-looking.

Beyond the car park to the east is 1-5 Meadow Lane, a row of modern houses forming part of an arrangement of terraces laid out around an area of public open space off Meadow Lane. Nos: 1-5 have fenced back gardens backing onto the service lane to the rear of North Road and the car park at No.34. There is a distance of 21m between the east-facing windows in the propose first-floor flat (serving a bedroom and the living room) and the windows in the main rear elevation of the terrace, which is considered acceptable from an overlooking point of view.

Visual amenity

The existing bank frontage is ‘of its time’ and somewhat dated in appearance. The proposed new shopfront would respect the design, external finishes and proportions of the existing adjoining shopfront at No.32.

The existing first-floor windows at the rear are metal-framed in keeping with the age and style of the building. It is not proposed to replace these as part of the current submission.

It is recommended that the new flat-roofed ‘bay’ is detailed to match the flat roof of the existing building and that new windows inserted at ground-floor are metal framed and proportioned to match the sub-divisions of the existing original windows. This could be dealt with as a condition of permission.

Parking and Access

The submitted details stipulate that there are 6 spaces within the car park, although they are not formally laid out. It is not clear from the submitted Design & Access Statement whether any of the parking spaces would be available for use by the occupiers of the proposed flats or will be used solely in connection with the retained commercial floor space. The amended drawing shows the siting of the parking bays adjusted to accommodate the proposed ‘bay’ window.

The Highway Authority has not raised any objection based on the assumption that 2 parking spaces would be available for the proposed flats. Whether or not these would be available to the flat occupiers, the site is within a highly sustainable location with access to the full range of facilities and services within Lancing town centre and within easy walking distance of the Rail Station and nearby bus routes. The submitted floor plans show cycle storage provision for each flat unit in order to encourage a more sustainable mode of transport to the private car. In view of this, refusal would not be warranted on grounds of a short-fall in off-street parking provision.

Nevertheless it is considered appropriate to impose a condition requiring that the parking provision be retained for use in connection with the ground-floor commercial unit at 34 North Road or for purposes ancillary to the occupation of the existing and proposed flats at 34-38 North Road and for no other purpose.

***R*ecommendation**

APPROVE

Subject to Conditions:-

1. Time Limit
2. Approved plans
3. Matching materials and capping of roof of ‘bay’ to match existing flat roof
4. Provide refuse storage prior to first occupation
5. Details of powder-coated coloured shopfront and stall-riser tiles to be agreed

6. Provide new shopfront and staff facilities within reduced area shop prior to first occupation of flats
7. Windows to match the materials and finishes of existing windows
8. No consent under this permission to replace existing windows
9. Lower portion of window shown on approved drawing as serving the kitchen to be obscurely glazed other than fanlights
10. Sound insulation
11. No part of the development shall be first occupied until the existing car park bays have been re-configured in accordance with the approved site plan. The parking spaces shall thereafter be retained at all times for parking in connection with the use of the ground-floor commercial premises at 34 North Road and/or for purposes ancillary to the occupation of the existing and proposed flats at 34-38 North Road and for no other purpose.
    Reason: To provide car-parking space for the use

Informative

1. Proactive Statement – No Amendments
2. Formal connection to public sewerage system required

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

Case Officer: Jo Morin Date: 16.11.2015

Authorised by: Gary Peck Date: 16 November 2015