Expiry Date - 13/12/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1339/23 **Recommendation – REFUSE**

Site: **54 Rowlands Road Worthing West Sussex**

Proposal: **Conversion of 3 No existing bedsits into 2 No 1 person, 1 bedroom flats (class C3). The addition of a single storey extension with a room in the roof to form a 1 bed, 2 person flat (class C3) and the conversion of the loft space at second floor into a 1 bed , 1 person flat (class C3). Retention of 6 self-contained bedsits and 1 x one bedroom flat.**

Date of site visit: 07.11.23

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located on the north side of Rowlands Road just outside the Town Centre designation.

The property is a double-fronted mid-terrace Victorian villa with double height bay windows either side of a central entrance door at the front. There is a brick and flint wall to the frontage and the front garden is laid to paving. There is a 2-storey rear off-shoot set in from the side boundaries, with a shallow pitched, hipped roof. There is a garden to the rear and pedestrian access to Nursery Lane to the rear.

The property is currently laid out and used for residential purposes described in the submitted particulars as comprising 9 bedsits and 1 No, 1 bedroom flat. However, based on the current internal layout and use, the property would more accurately be described as consisting of 1no 1-bedroom flat and 9no self-contained bedsit or studio flats. This current use is unauthorised in planning terms and is the subject of an ongoing enforcement investigation under AWEN/0062/18 following the refused CLEUD application (AWDM/0894/20) and subsequent dismissed appeal in 2020 (see below).

The adjoining properties on either side are in residential use, as are the properties to the north on the opposite side of Nursery Lane. There is a designated shopping parade on the opposite (south) side of Rowlands Road, with mostly residential flats above ground-floor.

Proposal

The application proposes:

- Conversion of 3 existing self-contained bedsit flats into 2no 1 person, 1 bedroom flats on the first floor.

- An extension to the rear with rooms in the roof space to provide a 1 bedroom, 2 person flat over two floors

- Conversion of the existing roof space of the main building to provide a 1 person 1 bedroom flat on the second-floor involving the formation of 2no dormers, one to the north elevation and one to the south, plus rooflight windows to the east and west elevations

The application submission does not seek to address the unauthorised use of the 4no self-contained bedsit flats and 1-bedroom flat on the ground floor, or the remaining 2no self-contained bedsit flats on the first-floor. Part of the existing and proposed building layout remains and includes the 6no self-contained bedsits on the ground and first floor and a 1 bedroom flat at ground floor**.**

The Applicant's Agent has provided the following information in support of the application**:**

Sustainability
The proposals will generally upgrade the insulation for the flats, including new windows, and create new homes built to the latest regulatory standards. The whole roof will be upgraded to new build standards, improving the overall energy efficiency of the building.

Landscape, Ecology and Drainage
The proposals augment and extend an existing building, with only modest increase to the building footprint (to the ground floor westerly side extension). There will be no impacts on existing landscape and ecology, and existing drainage routes will be utilised.

Relevant Planning History:

AWDM/1976/17- Single-storey rear extension, loft conversion including dormers to north, east and west elevations and alteration from door to window in the east elevation to create 3 additional bedsit flats.- Withdrawn

AWDM/0894/20- Application for Lawful Development Certificate for Existing Use for nine bedsitting rooms, one self-contained flat, and communal facilities comprising bathroom and laundry room. Refused on the ground:

"The provision of en-suite bathroom WC/shower facilities to each room results in material change of use of the building from a house in multiple occupation to self-contained flats for which planning permission is required."

An appeal against refusal of the CLEUD application was dismissed on appeal in November 2020

The Inspector stated:

"As a matter of fact and degree, based upon the evidence before me, the appellant has not discharged the necessary burden of proof to demonstrate on the balance of probabilities that the existing use of the site is for nine bedsitting rooms and merely one self-contained flat with the other facilities then described."

Consultations:

WSCC Highways: The Local highway Authority has raised no objection, commenting:

"Summary
This application is a for conversion of 3 No existing bedsits into 2 No 1 person, 1-bedroom flats (class C3). The addition of a single storey extension with a room in the roof to form a 1 bed, 2 person flat (class C3) and the conversion of the loft space at second floor into a 1 bed, 1 person flat (class C3). The site is located on Rowlands Road, a D class residential road subject to a speed restriction of 30 mph.

A nil car parking provision is proposed for all of the new flats. Under the WSCC Car Parking Standards, 2 car parking spaces may be provided specifically for the proposal.

Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. A permit scheme is in operation along Rowlands Road which may benefit future residents of the property. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.

The property has operated as a bedsit for some time with no known highways safety or capacity concerns to flag an existing concern.

The Planning Authority may wish to consider the potential impacts of this development on the nearby on-street car parking.

In absence of a parking provision, the LHA consider the sustainable nature of the site. Cycling is a viable option in the area, the site is situated in a sustainable location within walking/cycle distance of local services and amenities. If the LPA are minded to approve this proposal a condition securing cycle parking should be included. The site is also well connected by public transport, with regular bus services available from nearby Heene Road. West Worthing Railway Station is located approximately 21 minutes walk north of the site or a 7 minute cycle, offering alternative means of transportation further afield

Shops and amenities are situated a short walk east of the site, alleviating the reliance on the use of a car for a number of journeys.

Conclusion
In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal."

The following planning conditions are recommended:

Cycle parking
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 by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Construction plant and materials
No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
Reason: To avoid undue congestion of the site and consequent obstruction to access

Southern Water

Southern Water requires a formal application for any new connection to the public foul and surface water sewer to be made by the applicant or developer.

Adur and Worthing Councils

Environmental Health (Public Health)

I would recommend the following condition:

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:
Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by

the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area

Environmental Health (PSH)

The Private Sector Housing Team (PSHT) has identified a number of issues with the proposed development that would constitute a significant hazard, and would result in enforcement action being taken under the Housing Act 2004, and therefore objects to the planning application.

The issues identified include:

1) The existing plans labels the accommodation as bedsits when in fact they are self-contained flats that are substantially below the Nationally Described Space Standard (NDSS). Due to the serious deficiency in size this is already contributing to a significant hazard that the PSHT is preparing enforcement action to address.

The proposed plan does not resolve this issue as is shows that six of the existing units would remain substantially below the NDSS, and one of the existing units (ground floor rear) would remain significantly below the NDSS.

2) The layout of the ground floor rear self-contained unit shown does not reflect the actual layout of this unit, but a previous layout. The impact of the proposed two storey development at the rear cannot be properly considered as a result (potential noise issues, loss of light and outlook).

3) The proposed first floor front right flat (as viewed from the front) shows an unacceptable layout, with a bedroom accessible only from a high risk room. This inner room arrangement creates an increased risk of injury or death in the event of a fire and would trigger enforcement action to remedy.

4) The proposed second storey addition shows an unacceptable layout, with a bedroom accessible only from a high risk room. This inner room arrangement creates an increased risk of injury or death in the event of a fire and would trigger enforcement action to remedy.

5) The proposed second storey addition is constructed in the roof, and is listed as 37sq.m in size (i.e. the minimum size for a self-contained flat in the NDSS). However, when measuring rooms we can only include areas where the ceiling height is 1.5m or more above the internal floor level (the useable space). Ideally rooms should have a ceiling height of around 2.3m above the internal floor level, in line with the NDSS. For a room to be considered useable without a deficiency arising that contributes to a hazard, then at least 75% of the useable space should have a ceiling height of at least 1.9m above the internal floor level and there must be sufficient space for occupants to move around and for bedroom furniture i.e. bed, wardrobe, chest of drawers.

As the roof height is not indicated it is not possible to confirm the actual size of the proposed dwelling, but as much of the flat is located under the sloped elements of the roof, it would appear to be below the 37sq.m minimum, in which case it would likely trigger enforcement action.

6) The addition of a third storey would increase the risk from fire to all flats/accommodation and would trigger the requirement for lobbies between all self-contained units and the means of escape. No lobbies are indicated on the proposed plans, and such lobbies would further compound the existing issue of the substandard size of self-contained accommodation

Representations: None received.

Relevant Planning Policies

National Planning Policy Framework (2023)
National Planning Practice Guidance
Guide for Residential Development SPD 2013
Space Standards SPD 2012

Worthing Local Plan 2023
SP1 (Presumption in Favour of Sustainable Development)
SP2 (Climate Change)
SP3 (Healthy Communities)
SS3 (Town Centre)
DM1 (Housing Mix)
DM2 (Density)
DM5 (Quality of the Built Environment)
DM16 (Sustainable Design)
DM17 (Energy)
DM18 (Biodiversity)
DM19 (Green Infrastructure)
DM20 (Flood Risk and Sustainable Drainage)
DM21 (Water Quality and Sustainable Water Use)
DM22 (Pollution)

Planning Assessment

Principle

The application is fundamentally flawed in that it does not seek to address or regularise the 4no existing unauthorised self-contained bedsit flats and 1no existing unauthorised one-bedroom flat on the ground floor, or the 2no existing unauthorised self-contained bedsit flats that would remain on the first-floor.

This report assesses the proposed development for which permission is explicitly sought, and for completeness, also considers the development

comprehensively as a whole, as it is shown on the submitted plans, consisting of 6no self-contained bedsit flats and 5no self-contained 1-bedroom flats.

Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

The Worthing Local Plan (2020-2036) (WLP) was adopted by Council on the 28th March. The Worthing Local Plan (2023) now forms part of the statutory development plan, which sets the strategic development and land-use priorities for Worthing (outside the South Downs National Park) up to 2032, and contains the policies against which development management decisions within that area will be made.

The adopted Development Plan comprises the Worthing Local Plan 2023 and relevant supporting documents.

DM1 of the WLP states amongst other things that:

a) In order to deliver sustainable, mixed and balanced communities, the Council will expect all applications for new housing to consider the most up-to-date evidence of housing needs and demands.

c) Housing developments should provide flexible, socially inclusive and adaptable accommodation to help meet the diverse needs of the community and the changing needs of occupants over time. The Council will expect all new build dwellings to meet the optional higher Building Regulations Standard M4(2) for Accessible and Adaptable dwellings.

DM2 - DENSITY states

a) Development proposals must make the most efficient use of land, which will usually mean developing at densities above those of the surrounding area. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration must be given to:

i) the site context and character of the surrounding area in which it is located, and including consideration of any nearby heritage assets or important landscape;

ii) its current and future level of accessibility by walking, cycling and public transport; Social Policies

iii) the need to achieve high quality design;

iv) the need to minimise environmental impacts, including detrimental impacts on the amenities of adjoining occupiers;

v) and the capacity of surrounding infrastructure.

b) Residential development of family housing should achieve a net density of a minimum of 35 dwellings per hectare. In exceptional cases, lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs;

c) Higher densities, in excess of 100 dwellings per hectare should be achieved in most mixed-use developments, flatted developments and developments located in the town centre and in areas close to public transport interchanges and local services.

d) New dwellings across all tenures will be expected to meet as a minimum, the nationally described space standards (or any subsequent Government update) for internal floor areas and storage space. These standards will apply to all open market dwellings and affordable housing, including those created through subdivision and conversion. The Council's local standards will continue to apply for external space.

e) The Council will only consider any variation to the requirements set out above in exceptional circumstances, for example when a social or charitable housing provider is able to demonstrate that the homes it is seeking to deliver meets an identified need for supported housing and temporary emergency accommodation and that there is a clear and robust 'move on' strategy and site management in place.

DM3 Affordable Housing

New residential development (including conversions and changes of use) with the capacity to provide 10 or more self-contained units will be expected to provide an appropriate mix of affordable housing according to the following site size thresholds

Policy DM5 of the SDWLP requires all new development to be:

i) of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area (including consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping);

ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, impact on street scene and layout of the development;

iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;

iv) respect, preserve and enhance heritage assets and settings;

v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;

vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);

vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;

viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise or vehicular movements or loss of important open space;

ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain;

x) ensure that lighting incorporated into developments provides the minimum for public safety, is energy efficient and avoids light pollution

Policy DM16 regarding – sustainable design indicates

a) All development (excluding householder applications) will be required to achieve the relevant minimum standards below unless superseded by national planning policy or Building Regulations. Applications for major development must be supported by a Sustainability Statement demonstrating that the minimum standards are met and where possible exceeded. All development is encouraged to exceed these minimum standards where possible

Policy DM17 – ENERGY

a) All new housing and major non-residential development should incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements (after Co2 reductions from energy efficiency measures).

b)All proposals for major development must demonstrate that the heating and cooling systems have been selected in accordance with the heating and cooling hierarchy and that the lowest carbon solution that is feasible is used Applicants will be required to submit a feasibility assessment to provide a rationale for the chosen heating/cooling system.

c) Applicants for major development within areas identified as heat network opportunity clusters should demonstrate how they have considered connecting to district heating networks where: i) they exist at the time of permission being granted; ii) the heat network route lies adjacent to the site; and iii) otherwise it is feasible and viable to do so. Alternatively, where a heat network route is planned but has not been delivered, sites adjacent to the planned heat network routes should consider being heat network ready to enable a future connection.

Policy DM18 - Biodiversity

a) Planning applications should be supported by relevant environmental information, which is informed by appropriate up-to-date ecological information, prior to determination.

b) All development should ensure the protection, conservation, and enhancement of biodiversity. If significant harm cannot be avoided (by locating development on an alternative site with less harmful impacts or through design), then such harm should be adequately mitigated. Where it cannot be adequately mitigated then as a last resort such harm must be compensated for. Where it cannot be compensated for, then planning

permission should be refused. This process is known as the mitigation hierarchy.

h) New developments (excluding change of use and householder) should provide a minimum of 10% net gain for biodiversity - where possible this should be onsite. Where it is required/necessary to deliver biodiversity net gain offsite this should be part of a strategic ecological network having regard to Green Infrastructure and Local Nature Recovery strategies. Where it is achievable, a 20%+ onsite net gain is encouraged and is required for development on previously developed sites. Major developments will be expected to demonstrate this at the planning application stage using biodiversity metrics. This should be accompanied by a long term management plan.

DM19 – Green Infrastructure

e) Major developments should demonstrate how they are meeting the requirements of this policy in their submitted sustainability statements and are encouraged to achieve Building with Nature Full Award (Excellent).

The ‘Guide for residential Development (SPD) October 2013 seeks to outline the key elements for achieving these objectives when considering all new residential developments in Worthing. The aim of this SPD is to interpret policy as well as to include design-led good practice guidance.

Paragraph 3.1 of the SPD states that ‘To retain the quality of the local environment, it is essential that development proposals are designed to respond positively to their context. New development should relate well to its surroundings. It should not ignore the existing environment but should respond to it, exploiting site features and incorporating them into the process.

Para 3.3 states ‘A key element to the achievement of good design is an appreciation of the context in which it is situated. During the design process of any new development consideration will need to be given to its local setting, the surrounding densities, local building heights and other local features.’

At para 3.11 the SPD indicates that new residential development should seek to incorporate the principles of Lifetime Homes Standards, new dwellings including extensions and conversions should comply with the requirements of the Space Standards SPD. Where proposals do not comply a clear justification will need to be set out in the planning application. It is important to ensure that dwellings are capable of providing a suitable layout and adequate room sizes that reflect the use and type. All new dwellings including extensions and conversions should comply with the requirements of the Space Standards SPD. Where proposals do not comply a clear justification will need to be set out in the planning application. Guide for Residential Development (SPD) - October 2013 16 of accommodation.

It should be noted that the new Worthing Local Plan (WLP) (2023) now endorses the nationally described space standards (or any subsequent Government update) for internal floor areas and storage space (policy DM2 and supporting text properties, and amongst other things contribute towards an overall improvement in the quality of the living environment.

The creation of flats is acceptable in principle in this sustainable location, The key issues are the impact on the amenity of the area, residential amenity for future residents, impact on neighbouring properties, sustainability and biodiversity, parking and accessibility as assessed against the Development Plan and relevant policies within the NPPF.

Amount of development

As considered below, although not explicit within the application submission, in view of the current 'nil' planning use of the property, this assessment considers the development of the property as a whole as shown on the submitted plans. To this end, the development of 11no self-contained residential dwelling units triggers the threshold of a 'major' application and should properly be assessed in relation to the Local Plan policy requirements for a 'major' development, including policies DM3 (Affordable Housing), DM16 (Sustainable Design), DM17 (Energy), DM18 (Biodiversity) and DM19 (Green Infrastructure).

The application submission is inadequate as it fails to meet or satisfactorily address the above policies relating to major development.

Impact on visual amenity

No 54 Rowlands Road is a large terraced villa part of a group of similar style properties part of this characterful street scene. The properties have distinctive two storey bays and detailing and relatively low, shallow roofs compared to the scale of the buildings.

The 'villa' further to the west (36 Wordsworth Road), a modern building deliberately designed to replicate the traditional scale, massing, proportions and features of a Victorian villa, includes some small pitched roof dormers on the south, west and north roof slopes. The dormers are all modest in scale, set down from the main 'ridge' level and sympathetic to the traditional proportions of the building.

The attached properties either side of No.54 both have a 2-storey rear off-shoot similar to that at No.54. No.56 has also been extended by a single-storey rear extension. Running parallel to the rear of the site is a surfaced access road, Nursey Lane. The rear external areas of properties on both sides of Nursery Lane are variously enclosed by walls and/or fencing with only pedestrian access, with some wholly hard-surfaced and used for parking with no formal boundary treatment fronting Nursery Lane. On the whole Nursery

Lane has the character of a service road albeit with some frontage development.

The current application proposes pitched roof dormers to the front (south) and north rear elevation of the main building. The application also includes an extension to the rear set off the existing two storey off-shoot, approx. 7m in depth, stepped in from Nursey Lane by between 3.6 to 4m.

The scale and width of the proposed dormers extending from the ridge would appear ungainly and out of keeping with the proportions of the building, particularly on the front (south) slope, where it would appear as a dominant feature, harmful to the character of the existing building and the terraced group. The detailed design of the dormer windows with their wide casement style fenestration would furthermore be out of character with the vertically proportioned sash style windows on the existing building. As such the scale, proportions and detailed design of the dormers would be unsympathetic and harmful to the character and appearance of the existing property and the street scene in general contrary to the Worthing Local Plan policies DM1 and DM5.

The rear extension would extend from the rear offshoot with its ridge sitting just below the eaves level of this component. Although it is considered some form of 1½ or 2-storey addition could be achieved at the rear, the considerable depth of the proposed extension would be out of scale with the building, and combined with its contemporary gabled form and massing, and lack of sympathetic detailing or fenestration, would fail to integrate with the architectural character and appearance of the host building. It would be readily visible from Southey Road, as well as in views along Nursery Lane, enclosing the existing sense of space between the rear of the building and 2-4 Southey Road on the opposite side of Nursery Lane.

It is considered that the proposed rear extension would appear as a unduly dominant and unsympathetic addition to the building, resulting in an overdeveloped appearance that would be harmful to the character and appearance of the existing building and the surrounding area.

Residential Amenity - Future Occupants

Although not explicit within the application submission the proposal would result in 6no self-contained bedsit flats and 6no one-bedroom flats

The Council's Private Sector Housing team as highlighted a number of significant concerns in relation to the existing and proposed layouts as follows:

<u>Ground floor</u>

4no (retained) self-contained bedsit flats: The bedsit flats are self-contained and as such need to comply with the national technical space standards. All the bedsits would be below the 37sqm minimum requirement.

1 x one bedroom flat: This is also below the national minimum technical space standard. [Private Sector Housing has advised that the layout of this unit shown on the existing and proposed plan does not reflect the actual current layout of this unit, but a previous layout. It is pointed out that, as a result, the impact of the proposed two storey rear extension, which necessitates blocking up of existing windows serving this existing unit, cannot be properly assessed in terms of potential light, outlook and noise issues.] The submitted layout shows that the 2no ground-floor rear bedsit flats within the main part of the building as having a secondary means of access from the bedsit rooms to the narrow passageways on either side of the existing rear offshoot and proposed rear extension. As a result of the existing rear (north) windows being blocked up, this would result in the comings and goings of the occupiers of those units passing directly in front of the only windows (east and west sides) of this retained 1-bedroom unit, which would have an adverse implications for privacy.

First floor

2no (retained) self-contained bedsit flats: As above, the bedsit flats are below the 37sqm minimum floor space requirement.

2no proposed one bedroom flats are shown as just compliant with the space standards for a one bedroom one person unit.

Ground and first floor

1no one bedroom, 2 person unit over two floors: At 57sqm floor space this unit is just below the national minimum space standards of 58sqm. The main (north-facing) outlook from this unit facing onto the proposed shared garden and cycle store would not be private with resulting poor standard of privacy.

Second floor

A further one bedroom property is proposed and although shown as 37sqm. However, as this unit is formed within the slopes of the existing roof void and not all of the floor area shown on the plan will have full head height, the Council is not satisfied that the minimum internal space standard would in in fact be met in case. The small size of this unit combined with the uncertainty over the amount of space with full headroom would result in the accommodation having a cramped and constrained feel.

The drawings show a small L-shaped area of shared amenity space between the rear (north) wall of the proposed 1½ or 2-storey extension and the rear site boundary, with a bike store in-between. However, in practice, this area would be so constrained in terms of its size, overshadowing and lack of privacy as to have no real amenity value.

The development is contrary to policy SP3 which aims to provide high quality homes within an attractive environment; policy DM1 that requires the

conversion of dwelling into smaller units of self-contained accommodation to provide a high standard of accommodation that complies with internal space standards and requirements for outside space; and policy DM2 that requires new dwellings to meet as a minimum, the nationally described space standards (or any subsequent Government update) for internal floor areas and storage space, and the Council's local standards for external space set out in 'Space Standards' SPD.

Residential Amenity - Neighbour amenity

Planning records indicate the attached property to the west, No.56, is in use as a single dwelling house and that No.52 attached to the east side is subdivided into 6no flats.

It is not anticipated the proposed enlargements comprising the proposed rear extension and dormers would have any adverse impact on the amenities of these properties in terms of loss of light or overbearing effect. However the intensity of the resulting use and associated increase in activity and comings, particularly at the rear, would be apparent to these neighbours and likely have some impact on their amenity.

The first-floor north-facing window serving the bedroom of the proposed 1-bedroom flat unit contained within the proposed rear extension would overlook ground and first-floor windows (some serving bedrooms) in the south facing elevation of 2-4 Southey Road at a distance of less than 10 metres, which would be intrusive and unneighbourly.

Accessibility

The site is situated in a sustainable location in easy walking distance of modes of transport other than the private car and local shops and facilities. Cycle storage provision is shown within the front and rear gardens. The LHA have not raised any objections.

Recommendation

REFUSE for the reason:-

1. The size and layout of accommodation shown on the proposed plans would provide an unacceptably poor standard of amenity for the occupiers, which would be below minimum internal space standard set out in the Government's Technical Housing Standards – nationally described space standard (March 2015), together with poor standards of outlook and privacy, and lack of external amenity space. The development is therefore be contrary to policies SP3, DM1, DM2 and DM5 of the Worthing Local Plan, the Council's 'Space Standards and 'Guide for Residential Development' SPDs and the relevant policies of the National Planning Policy Framework.
2. The proposed dormers, by reason of their unsympathetic scale, proportions, detailed design and position on the roof would be an

unsympathetic and ungainly addition to the roof scape, detracting from the character and appearance of the existing building and the architectural composition of the terrace of which it forms part. The proposal is therefore contrary to policy DM5 of the Worthing Local Plan, and the relevant policies of the National Planning Policy Framework.

3. The proposed rear extension by reason of its siting, scale, depth, form, massing and design, would be poorly integrated with the architectural character and appearance of the existing building appearing as a dominant and unsympathetic addition to the building and the surrounding street scene and contrary to policy DM5 of the Worthing Local Plan, the Council's SPD 'Guide to Residential Development' and the NPPF
4. By reason of its layout, siting, scale and design the resulting amount of development would give rise to a cramped and over intensive development of the site resulting in an intrusive loss of privacy and amenity for the immediate neighbours contrary to policy DM5 of the adopted Worthing Local Plan and the relevant policies of the NPPF
5. The application is fundamentally flawed as the resulting development would result in the creation of 11no dwelling units and the submission fails to meet or satisfactorily address the adopted Local Plan policies relating to major development including provision of affordable housing, and minimum requirements for sustainable design and renewable and low-carbon energy production. The resulting development is therefore contrary to policies DM3, DM16, DM17, DM18 and DM19 of the Worthing Local Plan and the relevant policies of the National Planning Policy Framework

Further Recommendation

Enforcement Action to discontinue occupation of substandard units of accommodation

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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

Case Officer: Jackie fox Date: 11th December 2023

Authorised by: Jo Morin Date: 11.12.2023

Expiry Date - 13/12/2023