Development Control – Delegated Officer Report

Application Number:
AWDM/0268/13

Recommendation – Approve Application

Site: **29 -31 High Street Shoreham-by-Sea West Sussex**

Proposal: **Conversion of offices to form 5no. flats (2 x Studio, 1 x 2-bed and 2 x 1- bed) incorporating new bay extension to ground and first floor at rear (part retrospective).**

The Application

The application site comprises nos. 29 and 31 High Street which form part of a terrace within the main shopping street in the built up area of Shoreham town centre. The site also lies within the Conservation Area. The buildings front the High Street to the north and formerly contained commercial premises at ground, first and second floor level. The second floor is formed within the roof space where there are front and rear dormers. There have been other various alterations and additions to the buildings including rear flat roof additions. To the south/rear of the site is an amenity/garden area which backs onto the river. Due to the drop in levels to the rear towards the river the lower ground floor of the building (which is below pavement level on the High Street frontage) is at ground floor at the same level as the garden area and the river bank.

Planning permission was granted in 2009 for the conversion of the premises to form 4no. 2-bed flats (ADC/0142/09). There then followed an application to amend this consent to enable the conversion to form 3no. 1-bed flats, 1no. 2-bed flat and 1no. studio flat (AWDM/1000/11). That application was refused for the reason that it resulted in susbstandard accommodation and an overdevelopment of the site. A subsequent appeal was dismissed. However, the work had already been carried out to form the 5 flats and in fact exceeded the details shown on the plans by including a 6th flat on the lower ground floor. The flats are now largely occupied.

This application seeks retrospectively to retain the flats but to improve the standard of the two smallest flats by extending at the rear in the form of bay extensions on the ground and first floor. Following discussions with the Environment Agency about flood risk to the lower ground floor flat, that flat does not form part of this application and is to be reinstated as an office/storage use.

The 5 flats comprise a 1-bed flat on the ground floor, 1 x 1-bed flat and 2 x studio flats on the first floor and a 2-bed flat at second floor. The ground floor flat is provided to the rear of the ground floor, with a proposed bay extension and ‘sun deck’ on the lower ground floor flat roof enclosed by railings facing south towards the river. The first floor studio flat at the rear is also to be

extended with a bay extension. The extension will project 2m from the rear of the building over two floors, sitting on top of the lower ground floor.

The floor areas of the flats, as extended, will be as follows:

Ground floor– 1 bed flat = 55.2sqm
First Floor – studio = 36.2sqm, studio = 36.1sqm and 1-bed flat = 65.5sqm
Second Floor – 2-bed flat= 78sqm

The previous scheme had the floor area of one of the studio flats at 27sqm and the 1-bed flat on the first floor at 34sqm, which fell short of the Council's Space Standards.

Consultations and Representations

West Sussex County Council: - The Transport Planning Officer has advised that he has no highway objections. For this proposal a nil parking provision is proposed. Whilst on-street car parking is limited in the immediate vicinity, he does not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. It is understood the previous use had a nil car parking provision. The new flats are to be situated in a sustainable location as the site is within walking distance of public car parks and has very close links with the public transport network. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking. The proposal would also not be anticipated to generate an increase in vehicle movements with respect to the existing office use, and the peak usage times would not be expected to coincide with peak traffic levels in this area. If the LPA are minded to approve this application a condition securing cycle parking should be included.

Adur and Worthing Councils – The **Environmental Health Officer** states that the High Street façade of the property will be affected by traffic noise and in addition the High Street is an AQMA. He requests that if this application is granted then it be on condition that a scheme is put in place to protect the dwellings from noise. In the absence of any noise assessment it is fair to assume that the noise from the High Street is likely to put the property into a NEC C, based on other noise assessments in the locality. He therefore advises that a condition be placed on any permission granted requiring a whole house ventilation system and acoustic glazing for the habitable rooms facing the high street, details of which should be submitted and approved prior to installation. Oxides of Nitrogen exceed of the objective level for this pollutant in the High Street and he therefore advises that any whole house ventilation system for the property, required as part of the noise mitigation measures, draw air at the rear of the property at roof level. Pollution levels fall as you move away from the road and this should ensure cleaner air is entering the building.

Comments also made about layout and stacking of flats (*NB this is covered by the Building Regulations who have not raised an objection*).

Environment Agency: - No objection in principle provided the lower ground floor flat is omitted

Third Parties

ADCAG - Approve

Relevant Planning Polices and Guidance

Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AB4, AB16, AH2, 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'.
Good Practice Guidance Note – Internal Space Standards for New Homes (ADC 2010)
National Planning Policy Framework (2012)

Planning Assessment

Policies

The provision of more dwelling units would help meet the housing requirements for small households as set out in 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.

The site is in the Conservation Area where there is a statutory duty to pay special attention to the need to preserve or enhance its character or appearance as reflected in local plan policy AB4. Also policy AB16 relates to the riverside setting of Shoreham stating that opportunities will be taken, when considering development proposals to improve the river scene.

Residential Amenity – Existing Occupiers

The extension will increase the depth of the building at upper floor levels and will increase the recess for the flats to either side. The flats recessed to the east are within the application site and while there will be some reduction is

light and outlook it is not considered to be sufficiently harmful to warrant refusal. Further east, the neighbouring building has a blank side wall which is not affected. To the west there is a public house and beer garden which is also unaffected.

The balcony at first floor has been previously approved and, while projecting further out, it still does not cover the entire flat roof and opportunities for overlooking are limited. The addition of a balcony to the first floor flat will have a similar limited impact.

Residential Amenity – Proposed Occupiers

While there are no standards for room sizes for flat conversions above shops, DC Standard No.4 does provide a useful guide. The proposed flats, as extended, will now exceed the minimum floor areas set out in that document. While amenity space is limited, there is a garden area at the rear for use by the residents, plus the small balcony areas for the upper floor rear flats. This is similar to the previously approved scheme and is considered to be adequate for a town centre location where amenity space can be expected to be limited.

The issue of noise disturbance from the High Street is proposed to be dealt with through passive ventilation systems and double glazed windows. This should be secured through conditions.

Visual Amenity, Conservation Area and Riverside Setting

The proposed extension will not be visible from the street but will be visible from across the river. However, it will replicate the design and appearance of the existing building with white rendered walls. The bay will be similar to that which exists at ground floor. Consequently, there is not considered to be any adverse visual impact arising from this development.

Access and Parking

The site has no parking provision, as is currently the case. The proposed flats are within a sustainable location within the town centre. The area is well served by public transport links. The Transport Planning Officer has no objection subject to cycle parking being provided. This could be within the lower ground floor and will be subject to a condition.

Flood Risk

The site is located within a Flood Risk Zone. A Flood Risk Assessment was submitted with the original planning application. The Environment Agency has no objection provided the lower ground floor flat is removed from the scheme. The upper floors are all above the predicted flood water level.

Recommendation

APPROVE for reason:

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment and Conservation Area. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties, without unacceptable flood risk and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AH9, AB4) or the policies of the National Planning Policy Framework.

Subject to:

1. Development to be commenced within 6 months of permission
2. Materials to match
3. Details of acoustic glazing and passive ventilation to be provided within 6 months
4. Cycle and refuse storage to be provided within 6 months
5. Approved plans

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Peter Barnett Date: 24 May 2013

Authorised by: Gary Peck Date: 24 May 2013