P & R 30/7/07

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Application Number: ADC/0338/07 Recommendation - APPROVE

Site: 14 Croft Avenue, Southwick BN42 4AB

Proposal: Side and rear extensions and conversion to 2 flats

The Application

The application property is a semi-detached 1930's four-bedroom house on the south side of Croft Avenue, located opposite Elmcroft residential care home. It forms a pair with No.12 to the west.

The proposal is for enlargement of the dwelling and its conversion to 2 two-bedroom flats, the upper flat being more akin to a maisonette (being on the first floor and within the roofspace). The enlargement would comprise a single-storey side extension (6m wide by 1.5m deep and 3.5m high), with a lean-to roof, and a single-storey side/rear extension (3.3m wide by 6m deep and 3.5m high) with a hipped roof. The existing rear conservatory would be retained but the existing detached garage would be removed. The proposed alterations would result in the upper flat being accessed from a door in the front of the proposed side extension and the groundfloor flat from the original front door.

The road comprises semi-detached and detached houses of similar period and style, a number of which have rear extensions and detached garages to the rear. The dwelling to the east (No.16) is a semi-detached house with a side porch (which abuts the side boundary with the application site). The application property is located to the east of the bend in Croft Avenue, the houses to the east having a staggered building line with No.16 being 3m forward of No.14.

The application is an amended submission of a previously refused application (ADC/0127/07) for enlargement and conversion to 2 flats. The enlargement previously proposed was for a flat-roofed side extension with false pitch at the front. The reasons for refusal were:-

> *1. The conversion of this purpose-built family house into flats would be out of keeping with the character of the locality and result in accommodation which would not have adequate standards of residential amenity in terms of outside amenity space for the upper maisonette and bathroom space for the ground floor flat.*
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> *2. The proposed extension, by reason of its large size and unsympathetic design, would be out of keeping in scale and appearance with the existing building and would detract to an unacceptable extent from the visual amenities and residential environment of the locality.*

Consultations and Representations

County Transport Planning Services: No objection. There is an existing vehicular access, with no apparent issue in respect of visibility, and there is unlikely to be a significant increase in vehicle movements. The submitted plans do not show the proposed car parking but one space per flat should be adequate subject to covered cycle parking also being provided for both flats and a sustainable transport (TAD) contribution of £1,138.

Director of Services: The EHO requests that, due to the proximity of the development to neighbouring properties and because of a spate of complaints, conditions/informatives be included which state that there should be no burning of building waste and that work shall only be undertaken 7.30am-6pm Mon-Fri and 8am-1pm Saturdays.

Third Parties: An objection from the resident of No.16 states that the proposed conversion into flats would not fit in with the character of Croft Avenue which is a road of good-sized family homes. They have concerns that the upper flat would have no access to the rear garden and that the ground floor would not have external access to it also. They feel that the appearance would be one of a terrace, with the extension having an overbearing effect to the patio outside their back door. They consider that the reasons for refusal from the last application are still relevant, and comment that there are numerous large houses that can be converted sympathetically into flats without having to make extra rooms.
[NB. A request is made to speak at the Committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1-2, AH5, AH9, AT12-13 and Appendix 11 ' Supplementary Planning Guidance' comprising:- Dev Control Standard No.3 'Extensions and Alterations to Dwellings & No.4 'Flat Conversions'.
The Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): H3, T3.
Planning Policy Statement PPS1 – Delivering Sustainable Development (ODPM)
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). The proposal would help to meet the housing requirements of the Structure Plan (NE1), in the form of dwellings of

a size that would be suitable for small households in an accessible location (NE2).

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 houses to flats will not be permitted.

Development Control Standard No.4 'Flat Conversions' states that conversion of small family houses (less than 100sqm internal floor area or 3 or less bedrooms) will not normally be permitted and that the effect on the character of the area (eg. through loss of front garden to forecourt parking) will be an important consideration. It states that conversion of semi-detached or terraced dwellings to flats is not favoured because of potential noise disturbance (eg. from a proposed kitchen or living room adjoining a neighbouring bedroom). If this cannot be minimised by appropriate 'stacking' and 'side-by-side' layouts, the onus will be on the applicant to prove that adequate sound insulation measures can be provided. It also states that where conversions include the addition of an extension, or any other material change to the exterior of the building, the effect of these on the property itself, on adjoining premises and on the local environment generally must be considered, and that conversions should result in an acceptable amount of amenity space for each 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.

Character and principle

Although there have been no previous flat conversions in this road, it is considered that refusal on grounds of being out of character would, in principle, be very difficult to substantiate as a sole reason for refusal. The site lies directly opposite a large 3-storey elderly persons home which is similar in its appearance to a block of flats. Whilst the recent outline application for its redevelopment with 12 flats was refused, this was only on grounds of insufficient information to demonstrate 12 flats could be accommodated, not to the principle of flats per se.

The existing house has four-bedrooms and a floor area in excess of 120sqm (excluding the conservatory). It thus does not fall into the category of a small

family house as defined in the Council's DC Standard. Being semi-detached, it is not ideal for conversion but it has an extensive curtilage, front and rear. The density of the proposal would be 40 dwellings per hectare.

Residential amenity – effect of extensions

The properties on this side of Croft Avenue have large rear gardens with a southerly rear aspect, towards the railway at the rear. The proposed rear/side extension would effectively replace the existing detached hip-roofed garage, albeit attached to the house rather than set back by 0.9m from the rear of the existing conservatory. The eaves level of the proposed rear extension would be the same height as that of the conservatory and would result in the flank wall of the structure protruding above the boundary wall with No.16 by about 0.4m along its length.

The rear extension would be more apparent from the rear of No.16 than the existing garage due to its proximity to the house, but it is considered it would not have such an overbearing effect or an effect on natural light levels that would warrant refusal.

Residential amenity – noise transmission

Whilst the room 'stacking' within the two flats being created is consistent in that rooms of the same type are above each other, the proposed living room of the upper flat would be next to the rear bedroom of the attached property (No.12). It is not possible to avoid the upper livingroom being next to either the front or rear bedroom of that property.

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).

The Environmental Health officer does not have any objections but asks for conditions restricting hours of work and prohibiting burning. However, these are inappropriate for planning conditions, as other legislation is available.

Residential amenity – privacy

The use of the first floor rear bedroom as a livingroom would be likely to intensify its use but it is not considered that loss of privacy would constitute a reasonable ground for refusal.

Parking and access

Having regard to the sustainable location of the site on the edge of the centre of Southwick, with different transport options available, County Transport

Planning Services have not raised an objection to the proposed change of use, subject to the provision of adequate secure, covered cycle parking and a sustainable transport contribution. Under the adopted maximum car parking standard, the proposals require 4 car parking spaces as compared to 3 for the existing house. Whilst the proposals remove the existing garage and side part of the drive, the space at the front of the property would be adequate for up to 3 car parking spaces. However, given the sustainable location, 2 on-site parking spaces would be more appropriate.

Amenity space.

The proposed conversion of the property relies on very little alteration to the room layout and design of the interior space. The proposed rear extension would be used as a second (single) bedroom and family sized bathroom for ground floor flat. The proposed side extension would serve as the entrance porch to the upper floor flat and would provide amenity space for covered bicycle storage and bin storage for both of the flats in line with comments made by WSCC Highways.

The existing single dwelling has a large rear garden (280 sq m) and the location of the rear extension would prevent any use of it by the upper maisonette. The only garden space available to the upper maisonette would be the front garden adjacent to the parking area but this can provide the 20sqm required under the Council's DC Standard albeit that, with only a low boundary wall, this area of garden does not enjoy privacy. There is public amenity space comprising the Rest Garden obliquely opposite and the large Recreation Ground to the east of this road.

Internally, the floor area of the groundfloor flat would be 90sqm (including the conservatory) and the maisonette above would be 85sqm. These both exceed the Council's minimum in DC Standard No.4 which requires 57sqm for a two-bedroom flat. All of the rooms exceed the minima in DC Standard No.4 (NB. the minima are 14sqm for a livingroom, 11sqm for a double bedroom, 6.5sqm for a single bedroom and 5.5sqm for a kitchen). It should be noted that there are no standards laid down by central Government.

Government policy guidance PPS3 encourages the best use of urban land for housing without rigid application of parking and amenity space standards, and on this basis the provision of bin and cycle storage integrated into the side extension is considered to be adequate for the upper flat.

Visual amenity

The proposed single-storey side extension would retain a gap of 1.2m from the side boundary which would prevent a cramped appearance or terracing effect. The lean-to roof of the side extension is sympathetic to the roof type of the original building and would not detract from the visual character of the houses in the street. The rear extension would give the same visual impression as the existing detached garage and is considered acceptable.

Recommendation

A. Subject, by 1 August 2007, to completion of a satisfactory section 106 Obligation undertaking to pay £1,138 to sustainable transport improvements in the locality, APPROVE for the reason:-

The proposed development is within the built-up area and would help to meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH1-2, AH5, AT12), the West Sussex Structure Plan (LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5) and the Adur Development Plan Submission Core Strategy (H1, H3, T3-4, H1).

Subject to:-

1. C1Ci (Standard time limit)
2. C12Eii (External walls and roof of extensions to match dwelling)
3. C8Gi (Details of car parking related to use to be approved, provided and retained)

B. In the event that a satisfactory section 106 Obligation is not completed by 1 August 2007 (the date that the statutory period for determining the application expires), that authority be delegated to the Head of Planning and Community to refuse the application on the grounds that it does not comply with Structure Plan policies DEV3-5, Submission Core Strategy policy T3 and the Revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area.

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