Development Control – Delegated Officer Report

Application Number: AWDM/0480/24 Recommendation: REFUSE

Site: 125 Lyndhust Road, Worthing

Proposal: Conversion of two flats at rear of building (ground and first floor) into two studio units and one duplex unit. Conversion of ground floor window into entrance door for duplex unit

Date of site visit: NA, largely internal works

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings
The site is located on the northern side of Lyndhurst Road. It contains a two and a half storey detached building in use as five flats.

The site is not within a conservation area and does not contain a listed building or structure. There are no protected trees on site.

Proposal
The development proposes converting two existing two-bedroom bed flats into two studios and one single bedroom maisonette. A new door is proposed to access the maisonette.

Relevant Planning History:

AWDM/1695/22: Part single, part two storey extension to the rear to enlarge existing flats at ground and first floor, relocation of garages to the rear and reconfiguration of car parking Permitted 16/12/2022

AWDM/0789/22: Rear part single part two storey extension to create one bedroom dwelling. Relocation of garages at rear. Withdrawn

AWDM/0441/20: Sub-division of flats 1 and 2 at ground and first floor to 2no. one bedroom flats and 2 no. studio flats; new front porch. Permitted 14/05/2020

AWDM/1716/19: First floor extension above approved ground floor extension (being constructed under AWDM/1232/19) Permitted 17/01/2020

Consultations:

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

WSP (as drainage consultant): Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

West Sussex County Council: The site is located on Lyndhurst Road, a C classified road subject to a speed restriction of 30 mph.

The LHA previously provided consultation advice for this site for application AWDM/1695/22, raising no highway safety concerns. This Local Planning Authority (LPA) granted the application.

The LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site. Existing access arrangements will be unaffected by the proposals.

The applicant will retain six car parking spaces for this development as per the existing arrangement. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least seven car parking spaces. Therefore, any overspill parking would have to be accommodated on-street. On-street parking is limited in the immediate vicinity, and whilst the LHA does not anticipate that the shortfall in parking would lead to a highway safety concern in this location, the LPA are advised to consider the potential impacts on on-street parking from an amenity point of view.

Regarding cycle parking, the applicant will retain a cycle store to the rear of the site, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

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 115), and that there are no transport grounds to resist the proposal.

Representations:

Two letters were received in support on the grounds that previous building work was done professionally and that the tenants have strong bonds.

One letter of objection was received:

I strongly object to this planning application. I'm not even sure if he has actually finished building from when you last granted his application as the site is still an utter mess. This man has been constantly building for several years. The back of the building looks ridiculous because he doesn't follow plans and does his own thing and think nobody will care - you made him take down the side wall. He uses shoddy builders who work outside permitted hours and burn thing illegally causing significant nuisance to all the houses, the appearance is poor and the materials are questionable - as far as i'm concerned the back of the house is nothing more than cladding and insulation. The site is over developed, there will be an increase of tenants causing noise and disturbance and issues with parking (there is already a constant smell of

cannabis). If he changes windows we will be overlooked and suffer loss of privacy. I am also concerned that as there is overdevelopment there is an increased risk of fire which will spread to my property.

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)
DM5 (Quality of the Built Environment)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM17 (Energy)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)

National Planning Policy Framework (DLUHC 2023)
National Planning Practice Guidance
SPD 'Space Standards' (WBC 2012)
SDP 'A Guide to Residential Development' (WBC 2013)
CIL Charging Schedule (Aug 2021)

Planning Assessment

Principle of Development

The Worthing Local Plan was adopted on 28th March 2023. Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Paragraph 76 of the NPPF states that local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision-making purposes where:

a) The adopted plan is less than 5 years old; and
b) That adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

Paragraph 77 goes on to state that where there has been a significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the Plan period).

The most recent housing trajectory and 5-year housing land supply for Worthing can be found in the Annual Monitoring Report 2022-23. Table 9 indicates the Five Year Supply measured against the adopted WLP annual target of 230 dwellings plus a 20% buffer, and demonstrates a 7 year supply of deliverable sites.

To maintain the supply of housing paragraph 79 of the NPPF requires local planning authorities to monitor progress in building out sites with planning permission. Where the Housing Delivery test indicates delivery has fallen below 75% of the local planning authorities housing requirement over the previous three years, the presumption in favour of sustainable development applies, in addition to the requirement for an Action plan and 20% buffer.

The latest Housing Delivery Test was published in December 2023 and Worthing Borough Council scored 33%. Therefore, the presumption in favour of sustainable development applies as the delivery of housing was less than 75% of the housing requirement over the previous three years.

Visual Amenity

The development is largely internal however a new door is proposed on the side eastern elevation. The size and location of the door are appropriate for the residential context. No detail has been provided of the materials of the new door. In the event planning permission is granted a condition would be attached as necessary requiring it to match the materials of the existing building.

Standard of development

Policy DM1 states that when considering proposals for the conversion of dwellings into smaller units of self-contained accommodation, the proposal must provide a high standard of accommodation that complies with internal space standards and requirements for private outdoor space. In addition, the Council will consider:

i) the impact on the mix of dwellings locally
ii) the impact on the character of the area
iii) the impact on the amenity of adjoining dwellings
iv) the quality of the accommodation. Applications for the change of use to a C4 use, a mixed C3/C4 use or to a sui generis HMO use should also demonstrate that the communal living space and cooking and bathroom facilities are provided appropriate in size to the expected number of occupants
v) At least one unit of the accommodation provided is suitable for family occupation unless it can be demonstrated that:
   ● A different mix of units is essential to preserve the character of a listed building or building with heritage importance; or
   ● The proposal is specifically for people with special housing needs.

The proposal involves converting a two-storey rear extension to its own maisonette flat. This extension was previously built to improve the size of two of the previous flats increasing them to two bedrooms each. The proposal would now result in three flats, 2 x studios and 1 x 1b1p flat over two floors.

Both studio flats comply with the Technical Housing Standards – Nationally Described Space Standard (NDSS) as they are 45 square metres with a minimum required floorspace of 39sqm.

However, the new 1-person maisonette is considered to be undersized. The NDSS does not set a minimum floor area for a two-storey one-bedroom unit. This is possibly because the minimum floor area is so low that it is not considered appropriate to try and split a unit over two separate floors. Looking at the other standards for two-storey dwellings the minimum floor area increases by between 8 and 9 square metres for one to four person flats and by 7 metres for flats with at least 5 people. This additional floorspace is necessary to take account of the extra circulation space needed for stairs to upper floors. Considering the requirement for at least 8 additional square metres the proposal to provide a 40.8sqm flat is considered undersized. While two storey units for one person are not encouraged the minimum floor area would need to be 45 square metres.

It is noted that this unit would not have its own private space as required by the policy, albeit there is no private space for any of the units within the development. The main doors for this unit would extend onto the cycle parking which would reduce the privacy of the unit.

The proposal therefore is considered to provide a cramped unit resulting in a poor standard of accommodation for future occupiers.

Residential Amenity - Neighbours

The proposal results in one additional unit to bring the number of units on site to six. However, this results in possibly one fewer person on site as the development proposes one less bed space. This is therefore not considered to result in an intensification of the site which would be noticeable to neighbouring residents.

Concerns from a neighbour regarding fire safety would be dealt with by building regulations.

There are no extensions so there would be no effect on levels of light or sense of enclosure to neighbouring residents.

Access and Highways

The LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site. Existing access arrangements will be unaffected by the proposals.

The applicant will retain six car parking spaces for this development as per the existing arrangement. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least seven car parking spaces. Therefore, any overspill parking would have to be accommodated on-street. On-street parking is limited in the immediate vicinity, and whilst the LHA does not anticipate that the shortfall in parking would lead to a highway safety concern in this location, the LPA are advised to consider the potential impacts on on-street parking from an amenity point of view.

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Biodiversity
Local Plan policy DM18 requires the protection, conservation and enhancement of biodiversity. The proposal is for conversion of the existing building only and would not result in the loss of any existing habitat.

CIL
The proposal would not be CIL liable as there is no additional floorspace being provided.

Conclusion
While it is recognised that the development would result in one additional unit, it is considered that this unit would offer a poor standard of accommodation for future occupiers and the development is therefore recommended for refusal on this basis.

Recommendation

REFUSE for the reason:

1. The proposed conversion, by reason of inadequate floorspace for the maisonette, is considered to provide a cramped and substandard level of accommodation for future occupiers thereby resulting in an overdevelopment of the site contrary to policies DM1, DM2 and DM5 of the Worthing Local Plan (2023) and the Guide for Residential Development (2013).

Informative

1. Refused without amendment.

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

Case Officer: Louise Prew Date: 13/06/2024

Authorised by: Gary Peck Date: 17 June 2024