DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: 28 Selden Road, Worthing WB/10/0630/FULL

DATE OF SITE VISIT: Pre-application (internal and external) with agent and applicant.

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: Y – Amended plan

PROPOSAL, SITE AND SURROUNDINGS:

The application property comprises a detached, stuccoed Victorian villa, occupying a generous plot on the east side of Selden Road. The property has previously been enlarged by a brick-built, single-storey, flat-roofed rear extension and attached lean-to conservatory. The roofs have been re-covered using concrete tiles and all the original sash windows have been replaced in uPVC. There are several rooflight windows in the rear roof slope. The building, currently vacant, is laid out as a mix of self-contained and bedsit units (11 units in total). A concrete drive runs alongside the southern site boundary leading to a large, untended garden area.

The surrounding area is residential in character, largely consisting of Victorian and Edwardian properties with some small scale modern flat buildings (e.g. directly opposite the site). The majority of large villas have been converted into care homes or are in use as flats. The site is sustainably located, within easy walking distance of nearby shops along Lyndhurst Road, as well as other facilities including Lyndhurst First School and Worthing Hospital. There is a bus route along Lyndhurst Road (and Brighton Road to the south). Adjoining to the north is 30 Selden Road, an end-of-terrace Edwardian house with a feature double bay window under a gabled roof. To the south is No.26, a detached Victorian villa similar to No.28, apparently also in use as an HMO.

As originally submitted permission was sought to convert and enlarge the building into 9 self-contained units comprising a mix of 1 and 2-bedroom flats and bedsit flats, involving the demolition of the single-storey rear extension and a detached store (built into the northern boundary wall) and erection a chalet style pitched roof rear extension with ground and first-floor accommodation. The drive on the south side would be foreshortened to provide 2 tandem parking spaces on-site. The remaining garden area would be sub-divided to provide private gardens allocated to 2 no. of the ground-floor units (including the 2-bedroom flat) and a separate communal garden at the rear. [The application submission states that the rear garden is currently used for parking but there is no evidence of this.] A separate bin store and cycle store is shown adjacent to the northern site boundary.

RELEVANT PLANNING HISTORY

None.

RELEVANT PLANNING POLICIES

Saved Local Plan policies: BE1, RES12, H10, H18, TR9
South East Plan: SP3, CC6, CC7, H1, H2, H4, H5, H6, T4, BE1

Submission Core Strategy: Policies 7, 8, 9, 16

RELEVANT CONSULTATION RESPONSES AND REPRESENTATIONS:

Highway Authority:

Summary of Contributions

S106 type	Monies Due
Education - First	No contributions required
Education - Middle	No contributions required
Education - Secondary	No contributions required
Education - 6th Form	No contributions required
Libraries	No contributions required
Waste	No contributions required
Fire & Rescue	£133
No. of Hydrants	No hydrants required
TAD	£3,690
Total Contribution	**£3,823**

"The building already has a permitted use as a house of multi occupation for 11 persons. The internal reorganisation and new extensions to form 4 self contained flats and 5 bed sits will materially have few additional consequences. In terms of parking, utilising the WSCC Parking Demand tool it is evident that there will not be any additional car parking demand as a consequence of the change of use.

The cycle store should be sufficient to permit the storage of at least one cycle per flat/bedsit. The Planning Authority should also liaise with there Waste Collection Contractor to ensure that the bin storage areas are sufficiently sized to accommodate the needs arising from this proposal.

In highway terms, there would be no reason to resist this proposal.

Contributions are required pursuant to S106 of the Town and Country Planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the ODPM Circular 05/2005 Annex B.

The basis for this advice is contained in the County Council's adopted Supplementary Planning Guidance document "The Provision of Service Infrastructure Related to New Development in West Sussex – Part 1".

All TAD (Total Access Demand) contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been derived on the basis of an increase in 10 Net dwellings

And

The calculations have been done on the basis of a decrease of 2 car parking spaces.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the Sussex County Council website (http://www.westsussex.gov.uk/s106).

Deed of Planning Obligations

a) *As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.*

b) *The deed would provide for payment of the financial contribution upon commencement of the development.*

c) *In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2011.*

d) *Review of the contribution towards the provision of fire service infrastructure (fire stations) should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.*

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need. Should you require further information in relation to the calculation of the contributions, please see below.

In conclusion, no Local Development objection would be raised to this proposal."

Further consultation (following amendment):-

"The revised TAD should be £2,115."

Executive Head of Housing, Health and Community Safety: No objection subject compliance with Building Regulations particularly for fire safety. Recommend conditions requiring provision for refuse storage to be agreed and precautionary contamination.

No response was received from **third parties** in relation to the initial notifications, or the further notifications following amendment (14 days).

PLANNING ASSESSMENT:

The Principle of Development

In terms of the principle of converting this former HMO into 9 dwelling units, the existing floor plans show 4 self-contained flats/flatlets and 7 non-self contained bedrooms. There are shared bathrooms and WCs on the ground and first-floor landing. There are no planning records relating to the use of the building as an HMO, or to the precise number/type of flat/flatlets, although other records point to the use as an HMO since 1998 (and probably before). In any event, self-containment would result in an improved quality of accommodation, and considered in relation to the supporting text of saved Local Plan policy H10, would represent an overall net increase of dwelling units compared to the lawful use of the property.

In the context of the SCS, the proposal would not result in the loss of a family dwelling and would comply with Policy 8, which supports the provision of higher density housing in and around the town centre.

In terms of the changes to PPS:3 and 'garden grabbing', the undeveloped space to the rear of the building may be considered to be 'greenfield' land. As originally submitted the proposed extension would result in an additional built-up area of approximately 20 sqm (compared to the existing extension footprint). However, an area of some 260 square metres in area and 18 metres deep would be retained as a mix of communal and private garden.

Design and the effect on the character and appearance of the surrounding area

The proposed rear extension is attached to, and forms a continuation of the existing 'outrigger', the north elevation set in (south) 2.2m from the northern flank of the main frontage building, and the south elevation marginally set in (250mm) from the southern flank of the frontage building. As originally submitted the extension was shown extending some 5.85m rearwards (east), with a pitched and gabled roof having a 6m high central ridge and single-storey eaves (2.8m high) to the north and south. The first-floor accommodation would be located wholly within the volume of the pitched roof. The design incorporates a bay window feature facing the rear garden, but otherwise the fenestration within the extension (and replacement windows in the north flank of the outrigger) would be modern in appearance.

As originally submitted, it was considered the scale, massing and design of the proposed extension did not adequately respect the traditional character and proportions of the recipient building owing to its shallow pitched roof form and unsympathetic window design. **Following discussions, an amended design has been submitted showing the extension reduced in depth by 1m to 4.85m but with a steeper angle of pitched-roof (to match the pitch of the main roof) resulting in a taller roof ridge 7.5m high. The amended roof design incorporates a part-hipped gable feature. As amended, the proposed windows are shown with a vertical proportion to match those within the existing building.** The proposed extension would extend no further rearwards (east) than the rear elevation of the outrigger to the adjoining terraced house to the north (No.30). As amended, the extension would have a satisfactory visual relationship to the recipient building. The southern roofslope would be visible in glimpsed views from the street between the frontage buildings, but would appear as a subordinate element to the main building.

The effect on living conditions of neighbouring and future occupiers

Concerns were initially expressed that the original layout of Units 6 and 7 having a gross floor area of less than 20 square metres was unacceptably poor. **Amended drawings have subsequently been received amalgamating unit 6 and 7 to create a single 1-bedroom unit and reducing the number of units within the development by 1.**

It is proposed to sub-divide the curtilage to provide a small courtyard garden for Flats 2 (24 sqm), a private garden for Flat 3 (100 sqm plus), plus a larger communal garden (120 sqm). This level of provision is considered adequate bearing in mind the larger 2-bedroom flat (Flat 3) could reasonably be occupied by a family.

Other alterations to the layout have enabled the main bedroom within Flat 3 to be provided with an outlook to the south, although the lower pane of the window serving the smaller bedroom in this unit (on the north side) should be obscure glazed to safeguard the privacy of the occupiers as this room faces directly onto the proposed communal bin/bike store.

In terms of the impact on the amenities of No.30 to the north, there would be a distance of approximately 6.5m from the north flank of the proposed extension to the south elevation of the rear outrigger to No.30 which includes windows serving habitable rooms at ground and first-floor. There are also ground and first-floor windows in the main rear (east-facing) elevation. The proposed extension will have an enclosing effect on the outlook from these windows. However, in view of the single storey eaves height and pitched roof which slopes away from the boundary, it is considered the effect would not be unacceptably oppressive or overbearing as to warrant refusal. The impact is further lessened by the part-hipped gable design. Similarly, in view of its orientation to the south, the proposed extension would result in some additional overshadowing of the windows in the south elevation of No.30 in the Winter when the sun is lowest in the sky. However, the ridge of the extension would be positioned at a distance of some 10m from this part of the southern elevation, and bearing in mind the roof design with single-storey eaves, it is considered the extent of overshadowing would not be so severe as to warrant refusal. The neighbours have been notified of the amended design which refers to the taller ridge height, but no representations have been received.

There would be no significant impacts on the amenities of No.26 to the south. The proposed bedroom windows in the ground-floor, south elevation of the extension (Flat 3) would for the most part face onto the blank flank wall of a single-storey extension added to the rear of No.26 built just within the boundary (not shown on the block plan). Nevertheless it is considered there is scope to improve the boundary treatment on this side to safeguard against adverse overlooking.

Parking and Highways

The site is located with the Controlled Parking Zone which is enforced. The existing drive on the south side provides some 3 or 4 tandem parking spaces although this type of provision is of little value in providing off-street parking since the spaces are not independently accessible. Moreover the drive is cramped in relation to the ground-floor bay window on the south side, causing a privacy issue. As submitted, the drive has been foreshortened in order to improve the relationship to the bay window and to provide Flat 2 with its own private courtyard.

The site is accessibly located in relation both to the facilities of the town centre, and local shops and facilities along Lyndhurst Road, including public transport. The Highway Authority have commented that the parking demand generated by the proposed 8 flats (1 x 2-bedroom, 4 x 1-bedroom and 3 bedsits) would be little different to the existing use as 11 bedsits and have raised no objections accordingly.

There is adequate space for bins and bikes on the north side, accessed via the pedestrian footpath on the north side of the building, and conveniently located in relation to the rear access door from the building.

RECOMMENDATION

Approve subject to the prior completion of a legal agreement securing the required infrastructure contribution, and subject to the following conditions:-

1. Standard time limit (5 yrs)
2. Approved drawings
3. Agree boundary treatment, to include a rendered wall sub-dividing the drive from the private courtyard garden of Flat 2, and improved boundary treatment on north side (adjacent to communal bin/bike store) and south side (adjacent to gardens of Flats 2 and 3).
4. Materials to match
5. Windows to include cill detail and depth of reveal to match original windows.
6. No new drainage/downpipes/foul water pipes/meter boxes on front elevation.
7. The new and replacement first-floor windows (including rooflight windows) in the north and south sides of the building and extension shall be obscure-glazed and unopenable (except those parts above 1.7m above the floor of the room in which the window is installed)
8. The lower pane(s) in the ground floor window on the north side of the extension shall be obscure glazed and unopenable (except those parts above 1.7m above the floor of the room in which the window is installed)
9. Agree and provide bin store
10. Agree and provide cycle store
11. Agree and implement construction scheme (to include details of contractors parking/facilities, loading areas, materials store, dust suppression scheme and hours of construction)
12. Details of landscaping to include footpaths and areas of hard-surfacing (to be permeable)
13. Pre-cautionary contamination

Informative
Consult waste strategy manager prior to discharging condition 9.

REASON FOR APPROVAL

The proposed development would make an efficient re-use of this attractive Victorian villa in a sustainable location close to the edge of the town centre, and would contribute toward meeting the housing needs of the Borough by providing residential accommodation of an improved quality. The proposed development can take place without detracting from the character and appearance of the surrounding built environment and without harm to the living conditions of neighbouring occupiers. Having regard to Government planning policy guidance contained in PP13, and in the absence of any objection from the Highway Authority, it is considered that subject to a contribution of £2,115 (index-linked and subject to annual review) necessary to mitigate the impacts of the proposed development in terms of demand on

infrastructure and sustainable transport, refusal would not be warranted on highway safety grounds

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

No

Delegated Decision

Case Officer Sign..... [redacted] .....Date..... 19.11.10

Authorising Officer Sign..... [redacted] ..Date..... 19.11.10