expiry · 20.08.07

Development Control – Delegated Officer Report

Application Number: ADC/0404/07 Recommendation - Permit

Site: **The Luxor Centre Station Parade South Street Lancing**

Proposal: **Provision of 2 self-contained flats to rear at first floor level, 1 self contained flat to rear at second floor and 1 self contained maisonette to rear at second floor and Tower level**

The Application

The site is located within Station Parade on the south-eastern side of South Street, opposite the railway station, in central Lancing. It consists of a parade of mixed retail and commercial properties with some flats above.

The existing building, a former cinema dating from 1940, is of distinctive appearance and while, it is not a Listed building, it is of historical interest in Lancing. The existing building is of irregular shape with a road frontage of approximately 20m. The main part of the building is two storeys high with a three-storey central 'tower' section, which adds to the distinctiveness of the building.

Currently the building has retail use on the ground floor and 4 flats (1 x 1-bed, 2 x 2-bed and 1 x bedsit) on the first floor that were converted following planning permission granted in 2002. Access to the first-floor accommodation is by a single access staircase from a front entrance door in the street elevation.

Permission is sought for 2 self-contained flats to the rear at first floor level (1x one-bedroom and 1x two-bedroom), 1 self-contained two-bedroom flat to the rear at second floor level and one self contained two-bedroom maisonette to the rear at second floor and tower level.

There is significant planning history in this case. Planning permission for the addition of a second floor to create 2 two-bedroom flats was approved under ADC/240/07/TP but as yet has not been implemented.

Prior to that, an application for 4 flats on the second floor and raising the roof by 1.4m above the parapet was refused on grounds of poor quality living environment detrimental to residential amenity (L/76/03). Prior to that, an application for 6 flats on two additional floors above the main roof had been refused on grounds that it would detract from the proportions and distinctive shape of the building causing unacceptable harm to the streetscene (L/35/03). An appeal against this refusal was dismissed. This was a resubmission of a

previous similar application which had also been refused on the same grounds (L/69/02).

Consultations and Representations

Consultations/Comments

Chief Environmental Health Officer	No objection
WSCC- Highways & Transport	No highway objection. The highway authority have been consulted on a similar proposal under ADC/240/07 to which no objection was raised. The current application is for the provision of 2x1 bed units and 2x2 bed units. The site is situated in a sustainable location with good access to public transport and other facilities, which is in accordance with policy DEV4 of the WSCC Structure Plan. A TAD contribution of £2,405 would be required. If possible cycle parking should be provided within the curtilage of the site.

Third Parties

There have been no third party objections to the application.

Lancing Parish Council – Have made no observations on the proposals.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005): LOC1, CH1, NE1-2, ERA1, DEV1, DEV3-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1-2, AH5, AT12 and Appendix II 'Supplementary Planning Guidance' comprising Development Control Standard No. 2 "Space Around New Dwellings and Flats" and Development Control Standard No. 4 "Flat Conversions"
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): H1, H3, STC2, T3-4, ENV4, ENV10
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 203 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)

Planning Assessment

The site is located in part of the main shopping area of Lancing and is therefore subject to Local Plan policies AS1, AE5 and AE6. In general terms these policies encourage the provision of additional shopping and retail related floor space through redevelopment, changes of use and extensions to meet the needs of existing businesses and to improve the attractiveness of the shopping area. However, the proposed extension to provide additional residential accommodation above ground floor level is also consistent with wider Structure Plan, Local Plan and Submission Core Strategy objectives of enhancing vitality and broadening the role and function of town centre locations, as well as with PPS3, in order to provide additional smaller residential units in sustainable locations.

Policy AG1 of the Local Plan requires development not to detract from the existing urban local environment. AH2 states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density and layout. The development should not cause loss of daylight, sunlight, privacy or outlook.

There is no specific policy relating to the conversion of non-residential buildings into flats but policy AH9, relating to the conversion of houses into flats, states that they will be permissible providing they have a) suitable access and parking, b) cause no adverse effect on surrounding properties, c) the type and standard of accommodation meets the Council's Standards. DC Standard No. 4 only strictly relates to flats converted from existing dwellings rather than non-residential premises.

The Structure Plan emphasises the primary importance of protecting and improving the urban environment and resisting over-intensive and damaging development and encourages the provision of small dwellings subject to sympathy for existing housing in the vicinity and safeguarding the fabric and setting of the best buildings. Policy CH5 states that the setting of unlisted buildings of local importance should be protected and, where possible, enhanced.

Visual Amenity

The proposed conversion of the rear section of the building would require very few external alterations. The second storey previously approved under ADC/0240/07 would be continued to the existing rear tower of the building, which would therefore show an additional 2.9m of mansard roof on the north elevation and 7.4m of mansard roof on the south elevation. Neither of these sections of roof would be visible from the road or front of the building and it is considered that the visual effect would be minimal.

The other alterations include the insertion of windows at level two in the north and south elevation to provide light and outlook for one two-bedroom flat and

the lower floor of the maisonette. The windows in level one on the north and south elevation would be lowered to take into account the floor levels, and the window serving the tower level on the south elevation would be increased in size. The new windows and alterations to the existing fenestration are not considered to be out of scale for the building and would not detract from its appearance.

Residential Amenity

The building is sited so that the residential properties above the shops in Station Parade to the north bear round to the east in line with the road. The use of the windows in the north elevation would have views towards the rear of the properties but they are located at such oblique angles that any overlooking would not be excessive warranting a refusal. The windows in the south elevation would overlook a car park and garden centre and would not have an effect on residential privacy.

The proposed flats themselves accord to the Council's guidance on accommodation sizes for flats. There is some concern regarding the stacking of bedrooms from one flat being over living rooms of others, which is not considered desirable due to potential for disturbance from noise, but the insulation of these rooms is primarily a matter dealt with under Building Control.

The flats would not have any private amenity space but due to the town centre location it is considered acceptable in that the benefits of the location would out way the lack of amenity space.

Access and Parking

The site lies in the centre of Lancing, with easy access to services, amenities and public transport. Given this sustainable location, which accords with PPG13 guidance to reduce the need for journeys by private car, the lack of parking provision with this proposal is considered acceptable.

A section 106 contribution towards sustainable transport improvements in the area is required to offset the impact of the development on these services and has been completed to the satisfaction of the Council.

Recommendation

APPROVE for reason that :-

The proposed development is within the built-up area and would help meet the demand 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 the character and appearance of the building or from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2 and AT12), the Submission Core Strategy (H1, H3,

STC1, ENV4, T3 and T4) and the West Sussex Structure Plan 2001-2016 (DEV1, DEV4, LOC1, NE2 and CH5).

1. C1Ci
2. C14A3 – amended
   This permission relates to the application as amended by the revised plans received on 24.08.07.
   Reason: *For the avoidance of doubt and because the application as originally submitted was unacceptable having regard to policy AH7 of the ADLP and DEV1 of the WSSP.*
3. C12Aii
4. C18K
5. C8Gi – amended.
   The flats hereby permitted shall not be occupied unless and until provision for the secure parking/storage of cycles clear of the public highway has been made in accordance with details to be submitted to and approved by the Local Planning Authority and such provision thereafter shall only be used for the parking/storage of cycles incidental to the use of the premises concerned.
   Reason: *To enable adequate provision for a facility which is likely to assist in the reduction of vehicular traffic/journeys by private car in accordance with Policy AT12 of the Adur District Local Plan and Policy DEV5 of the West Sussex Structure Plan 2001-2016.*
6. The proposed flats shall achieve efficient environmental performance by, prior to their occupation, being completed to achieve at least level 3 of the Code for Sustainable Homes in accordance with details submitted to and approved in writing by the LPA.
   Reason: *To accord with policy ENV4 of the Adur Development Plan Submission Core Strategy.*

Case Office[redacted]
Date: 24.08.07

[redacted] 28/8/07