ehearDevelopment Control – Delegated Officer Report

Application Number: AWDM/1465/16 Recommendation – APPROVE

Site: 132A South Street, Lancing, BN15 8AU

Proposal: Two additional windows for first floor flat on south elevation

Date of site visit: 11.10.2015

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is located on the west side of South Street, Lancing, and is a 2 storey, flat roof block of 3 properties with commercial use on the ground floor, and what appears to be residential on the first floor, although the middle of the terrace, number 130, appears to use the first floor for commercial use, but at the rear it is noted that it has a 2 storey flat roof extension, built out to its property boundary abutting the parking area, and the extension appears to be in residential use. No. 128 has also extended to the rear, but not as extensive as no. 130, and again the use of the rear section appears to be residential. No. 132, the application site, has extended to the rear with the ground floor to the same depth as no. 130, its first floor seems to be residential and external space is used as a balcony area. Also there is a large vertical flue coming out of the ground floor area from the restaurant area, through the balcony and rising to a height above the roof line.

To the south of the site, and separated by a vehicular access, is a flat roof single storey building used for Gardner & Scardifield, as a timber supplies, the rear of that property is currently the associated timber yard. Gardner & Scardifield have also built a cover over their access to the rear of the site, and have keyed it into their neighbouring property, i.e. the application site.

To the north of the terrace start pitched roof properties. To the rear of the terrace is a parking area and a terrace of flat roof garages. No. 130 has built out to its rear boundary with a 2 storey flat roof extension that appears to be in residential use. Next to no. 128 is a vehicular access for the rear parking/garaging area, which is also a public footpath, which narrows and continues through to Chester Avenue.

The proposal property is a restaurant on the ground floor with a non-self-contained residential flat over. A new shopfront with a large shopfront window has recently been installed (AWDM/1366/15 refers)..

The application seeks permission to install 2 no. windows into the first floor side (south) elevation of the first floor flat, and to block up one of the two existing windows (part retrospective). The proposal relates to alterations to the internal layout of the first-floor flat to create an additional bedroom and

bathroom. A similar proposal was originally included as part of the application submitted under AWDM/1366/15, but was subsequently omitted from that application owing to difficulties obtaining accurate drawings.

The erection of sheds on the outdoor first-floor terrace identified at the time of the case officer's site visit is the subject of a current enforcement investigation (AWEM/0121/16 refers).

Consultations: None

Representations: None received.

Relevant History

L/177/85/TP/2827 Single storey rear extension with roof terrace and new restaurant front Application Permitted 16.01.1986

AWDM/1366/16 Replacement shopfront Permitted 01.12.2015

AWDM/0149/16 Proposed first floor windows to south elevation. Withdrawn 08.09.2016

Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7
Submission Adur Local Plan 2016: P15
National Planning Policy Framework (CLG 2012).

Planning Assessment

Principle

There is no objection in principle to the proposed development which involves the provision of 2no. new PVCu windows and the blocking up of 1no. existing window all on the first floor south elevation, subject to amenity of neighbouring properties

Visual amenity

The existing first floor windows are visible from the street, but the view of them is diffused by the built covered way that Gardiner and Scardifield have recently constructed at the side of the properties.

The creation of the new 2 no. windows will not have any adverse effects on the street scene and will be hugely beneficial for the existing first floor flat.

It is unlikely that the new windows will result in any harm onto Gardiner & Scardifield's land, and as the windows open up to land outside of the applicants control, a Notice has been served on the neighbouring property to inform them of the application, and a Certificate B has been submitted to the LPA

Some works have been carried out to infill the window shown as 'blocked window' on the submitted plans, leaving the original frame and glass in situ with the new brickwork visible behind. A condition is recommended requiring the works of making good to be carried out within 3 months.

Residential amenity – existing/future occupiers

The size of the new bedroom falls well short of the Council's minimum standard of 6.5qm for a single bedroom and the reduced size living room area will be left with only a narrow outlook onto the rear terrace. However, insofar as internal works do not constitute 'development' in planning terms, control cannot be exercised over them. However, the alterations to the layout of the flat do require approval under the Building Regulations and the Council's Building Control Officer has been made aware of the unauthorised works that have taken place.

Residential amenity - neighbours

The new windows will not adversely affect the residential amenities of any residential properties within the close vicinity of the application site, or the amenities/character in general in the locality.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved plans
2. Standard time limit
3. The windows shall be PVCu as per the approved forms
4. Within 3 months from the date of this approval, the window shown on the approved drawing as "blocked" shall be infilled externally using brickwork to match the colour, texture, bond and mortar as the existing adjacent brickwork in the same wall (and with the existing frame and glass pane removed) unless otherwise agreed in writing by the LPA

<u>Informative</u>

1. Approved without amendments

2. The applicant's attention is drawn to the fact that the sheds noted by the Case officer as having been erected on the roof terrace are unauthorised in planning terms and should be removed at the earliest opportunity to prevent potential enforcement action being taken by the Council.

3. The applicant's attention is drawn to the fact that irrespective of the grant of this planning permission, the internal works carried out to the first floor flat require a separate application to be made for approval under the Building Regulations. Such an application should be made at the earliest opportunity and the applicant is advised to contact the

Council's Building Control Officer Pam Savidge 01903 221388 to discuss further.

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

Case Officer: Eve Hearsey Date: 21.11.2016

Authorised by: Jo Morin Date: 21.11. 2016