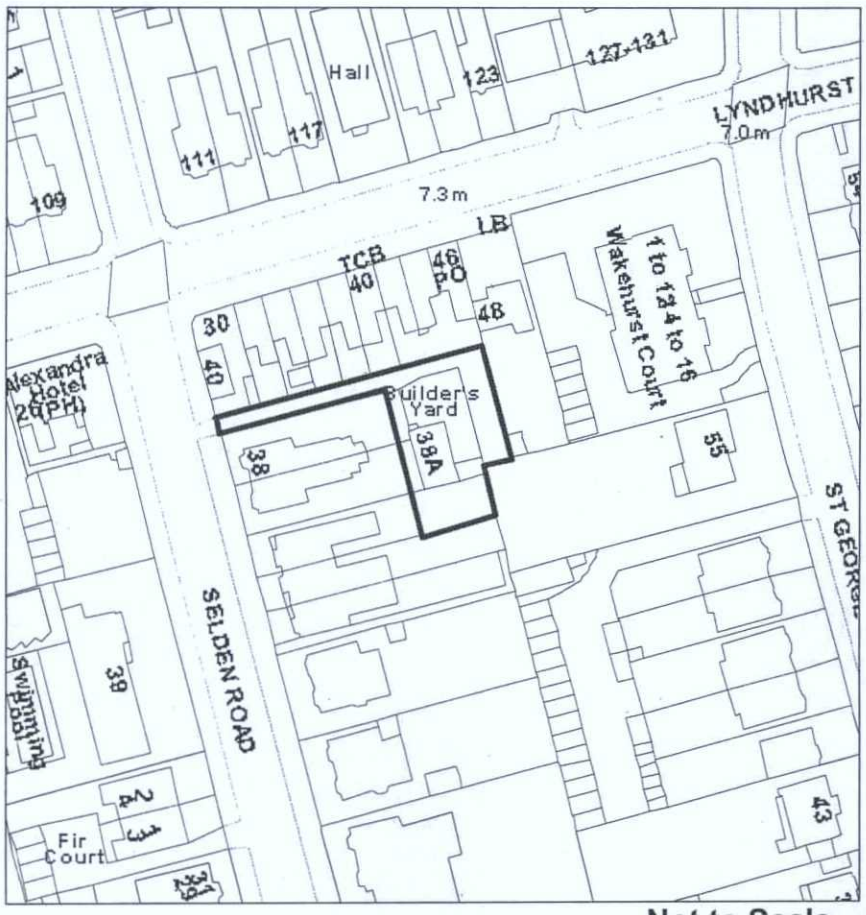
KEL (Commercial) Ltd
Mr Van Bushell

WB/07/1475/FULL
SEL
LMN

Location : 38A Selden Road

Proposal: Change of use and conversion of existing property to provide one townhouse and two self contained flats.



Not to Scale

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1. SITE AND SURROUNDINGS

The application comprises a 'backland site' to the south and rear of the parade of shops in Lyndhurst Road. The site is approximately 15.5 metres wide with a maximum depth of 25 metres. The middle of the site is occupied by 3 brick buildings which are presently vacant and comprise a single and two x two storey structures attached to each other. The previous use was a builders yard, workshop, storage facility and offices.

The site is accessed via a narrow access road (approximately 2.5 metres wide) running along the west side of No. 38 Selden Road and past the rear of the shopping parade, which ends in front of the site. There are some residential units above the shops to the north, and the site is surrounded on the other three sides by a range of residential units in flats, multi-occupation and single dwellings in Selden Road and St. George's Road.

2. RELEVANT PLANNING HISTORY

The partial conversion of first floor from storage to a 2 bedroom flat for use in conjunction with the ground floor workshop was granted permission in 2003 subject to the provision of fixed, obscure-glazed and high level windows only on the rear and west elevations (WB/03/00129 refers).

An outline application for the demolition of the existing workshop and offices and redevelopment of the site with a terrace of 3 x 2 bedroom houses was withdrawn in 2006 due to an Officer recommendation of refusal on the grounds of the proposal failing to take into account the restrictive nature of the site and resulting in a poor environment for future occupiers, loss of amenity and privacy for neighbouring properties, and inadequate access to serve the development due to its limited width and lack of visibility (WB/05/1388/OUT refers).

A full application for change of use and conversion of existing property to provide one townhouse and two self-contained flats was withdrawn in November 2007 due to errors having been made in the plans and also in the advertising of the application (WB/07/1255 refers).

3. PROPOSAL

The current application forms a resubmission of the most recent application for full permission for a change of use and conversion of the existing property to provide one 3 bedroom townhouse and two 1 bedroom self contained flats. The application site now includes the rear part of the garden previously belonging to No. 34 Selden Road, which has been divided up to provide rear gardens for the townhouse and the ground floor flat.

Various external alterations would be carried out, including shiplap cladding with the retention of some brickwork; new Crittal windows with large floor to ceiling windows on the ground floor on the front elevations; a covered porch for the ground floor flat, the provision of small, obscure glazed high level windows in the side elevations, and the provision of ground and first floor windows in the rear elevation (the first floor windows being obscure glazed up to a height of 1.8 metres above internal floor level).

The frontage would be finished in blockwork paving to provide off street parking for all units (2 spaces for the house and 1 space each for the flats). There would also be provision for cycle and refuse/recycling storage, and small raised planted beds. The rear gardens would be laid to grass (the western garden allocated to the ground floor flat) and Wild Cherry and Silver Birch trees planted along the rear boundary, along with a 1.8 metre high fence.

4. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement.

"Introduction/Context
No. 38a Selden Road comprises 3 units (one single storey and two, two storey) and was previously used as a builder's yard, workshop, storage facility and offices. It is adjacent to a small number of shops; however it is also surrounded by residential development on three sides. Unsuitable long term commercial vehicle access to the site via a narrow lane leading from Selden Road as well as the amount of nearby residential development may in part have caused the premises to be unsold as a commercial development for 24 months. The site had previously been granted part residential status for workshop employees under WB/03/00129/FULL.

Amount
The application proposes a change of use to form 1 no. 3 bedroom townhouse and 2 no. 1 bedroom flats.

Layout
The site is at the end of a narrow access road (approx 2.5 metres wide) to the west of No. 38 Selden Road and to the east of Nos. 30-46 Lyndhurst Road. Lyndhurst Road is the only area of commercial development adjacent to the site and mainly comprises of retail shops and offices. It appears that many of these are now becoming residential units themselves.

A site analysis highlighted the following facts and consequential design considerations

- *Access to the site to be maintained via the existing access road to the west of No. 38 Selden Road and to the east of Nos. 30-46 Lyndhurst Road.*
- *The privacy of all surrounding properties should be protected, with particular regard given to Nos. 34, 36, & 38 Selden Road.*
- *The existing building could adequately convert into 2 no. townhouses without the need for extensions.*

- *The existing site boundaries to the south side offer no chance of providing a rear landscaped area. The applicant has since purchased land from No. 34 Selden Road to enable an adequate rear amenity area to be provided. The sun path shows maximum southern sunlight to these proposed landscaped areas.*

Scale

The scale of the proposal is that of 1, 2 storey semi detached townhouse, and 2 flats over 2 storeys built within the confines of the existing building. A generous paved forecourt area is provided due to the size of the existing site. In relationship to the neighbouring properties the scale/height consequence is that the highest silhouette of the building is no higher and in many cases lower than that of the properties of Selden Road and Lyndhurst Road. The external area of the right hand side unit looking from its frontage is 126m2, divided into 2 flats of 63m2 each and 115m2 for the left. The internal rooms are in proportion to the existing building.

Landscaping

There is no established vegetation on the site, having been a hard landscaped area. The frontage is to be paved to allow for parking and turning of two vehicles for the townhouse and one vehicle per flat, however it is planned to build a brick raised planter for each unit to contain various types of vegetation and in part disguise each refuse/recycling storage facility . There is an existing flint wall along the west boundary, which will be unaffected by the development. The main garden is to the rear of each property and will face south. It is intended to create a considerable landscaped area per unit by planting trees, hedges and saplings along its south and west boundaries. The planting will consist of mature wild cherry and silver birch trees. The plans propose the right hand ground floor unit to have a rear landscaped area of 43m2 and the left, 32m2.

Appearance

The prominent and uncharacteristic units have been altered with a more sympathetic design. To the front elevations, all windows will be crittal style with large floor to ceiling windows on the ground floor. The right hand units will retain as many original features as possible in regards to the wood, brickwork and external staircase. The left hand unit will be clad in ship lap boarding to the front and side elevations. It is planned that all exposed brickwork will be re pointed where not rendered or ship lapped. The townhouse and ground floor flat will have a covered porch way, supported by an industrial style metal post. The existing roof lights will be reused to provide natural daylight to flow into the 1st floors rooms and high level windows will be placed on the side external walls.

The appearance of the units at the rear will mirror the details of the front with the added feature of crittal style patio doors for access into

the garden. To the rear all 1st floor windows will be partly obscured with no clear glass below 1800m to inside floor level. Four first floor opening windows will be provided to the rear and will only be openable above 1800 metres. The rear walls will be rendered. It is proposed to use all existing drainage and any new drainage stacks will be internal or on the rear elevation.

Internally a sprinkler system will be fitted to both units as part of their fire detection system.

Access

As the properties are private dwellings at the end of a non adopted road no formal footpaths are present and it is likely that any users will arrive by car. Access to the rears of shops fronting Lyndhurst Road will still be available and the proposed development will not encroach on their parking facilities. Four parking spaces have been provided for in total and a covered cycle store has been provided for the flats. The total area of the landscaped, paved forecourts is 121m2. It is envisaged that any increase in vehicle flow would be less than if the site remained 3 commercial units and therefore be less of a nuisance to the occupants of neighbouring properties. A generous porch area is provided to both ground floor entrances with a very slight stepped access into the house proposed to create a dry and level entry. No steps, other than the main existing stairway have been planned. Public transport is accessible from Lyndhurst Road.

It is now planned to create a 'speed control hump' of 2 metres width and position it min of 2m away from the entrance of Selden Road. Yellow caution lines will be marked to provide a warning to turning vehicles. The surface of the access road will be tarmac."

5. CONSULTATIONS

The **Assistant Director (Health and Housing)** raises no objections subject to a condition requiring a refuse storage area to be provided.

The **Highway Authority** has made the following comments:-

"The proposal appears to take on board the comments made previously by the Highway Authority – namely improved parking and turning provision and improvements to the access where it meets Selden Road by way of road hump and access warning markings. Vehicular traffic flows to and from the site should decrease from those previously generated when the site was in use as a commercial operation.

If the Local Planning Authority is minded to approve the application, the following conditions should be attached to any consent:

1. *WC.5.C (to include cycle parking).*
2. *WC.5.F.*
3. *Dwellings shall not be occupied until the road hump and markings, shown on application drawing No. 002 Rev. 'B' have been provided.*
4. *WC.6.K.*
5. *WC.6.L.*

Reasons – Condition 1 is required to ensure adequate car and cycle parking for the development. Conditions 2-6 are required in the interest of road safety. All conditions are required to accord with approved policy."

6. REPRESENTATIONS

The occupier of the ground floor flat, No. 32 Selden Road has written in raising the following concerns:-

i) This development is inappropriate in such a confined space and will result in a huge loss of privacy to be so overlooked by the addition of 3 households at the end of my garden.
ii) The people of 3 new households will see directly into my garden, my kitchen and bathroom.
iii) When I purchased my property I did not anticipate such a potential invasion of my space and privacy as will result from the sale of half my neighbour's garden, which I feel 'obscure' glass on the upper floors will do little to mitigate against.
iv) The proposed windows at the side and rear are literally a few feet on the other side of my garden wall.

7. PLANNING ASSESSMENT

The main issues raised by this proposal are the principle of residential development on the site, design and impact on the street scene, impact on the amenity of neighbouring properties and future occupiers, and parking, access and highway safety. As such the application should be principally considered against saved Policies BE1, TR9, H13 and H18 of the Worthing Local Plan 2003.

The principle of more intensive residential use of the existing urban area is supported in principle by national and local policy. The current application would result in the loss of employment floor space (the previous use as a builders yard), however, Policy B10 of the Worthing Local Plan relating to the loss of over 300 square metres of such floor space has not been saved. In any case, by external measurement, it would appear that there is less than 300 square metres of employment floor space and therefore the redevelopment would not have conflicted with this policy had it been saved. It is acknowledged, as detailed in the applicant's supporting statement, that the site is unsuitable for long

term commercial use (being previously unsold for 24 months) due to the narrow nature of the access drive, unsuitable for larger vehicles, and the fact that the site is surrounded on all sides by residential development, thereby having the potential to cause nuisance to the closely related residential properties. As such, the principle of conversion into a residential development is considered acceptable.

The proposed external alterations to the buildings would acknowledge elements of the previous 'industrial' use (the retention of openings, wooden doors, an external staircase and brickwork). The use of cream painted render, brickwork, and shiplap boarding, in combination with the proposed metal crittal windows would, in your Officers' view, enhance the appearance of the existing site and create a unique and visually appealing residential development. A condition is recommended, however, to agree the construction details (including colour) of the proposed windows and front porches, since the submitted plans do not provide sufficient detail for assessment.

The proposal would involve the re-use of the existing buildings, therefore involving no extensions to the existing structures. As such, the proposed dwellings would have no greater impact upon neighbouring properties (in terms of overbearing or overshadowing impact) than at present. The proposed conversion would involve the installation of windows (where presently there are blank walls) on the side and rear elevations of the buildings, however, the side windows are high-level and indicated as having obscure glazing. A condition could ensure that this is the case and also to require that they are fixed shut, in order to safeguard the amenities of neighbouring properties (a condition should also preclude the installation of any further windows on the side elevations).

It is also proposed to install windows into the rear elevations of the buildings, including French doors on the ground floor to provide access into the rear gardens. The plans indicate a 1.8 metre high fence and tree planting to the south and west boundaries, which would provide sufficient screening between neighbouring properties and the ground floor windows. Given the depth of the proposed rear gardens and the proximity to neighbouring properties however, there is potential for overlooking problems from the rear first floor windows, as highlighted by a neighbouring resident from No. 32 Selden Road. However, it is proposed to treat the first floor windows with obscure glass up to a height of 1.8 metres above the internal floor level, with only small clear-glazed opening top lights above this level. As such, it would not be possible for future occupants to look out of the windows onto neighbouring properties and therefore privacy would be adequately safeguarded in your Officers' view. Again, this should be reinforced by condition.

It is considered appropriate in this instance to impose a condition to remove the 'permitted development' rights for the proposed townhouse,

given the limited size of the site and importance of retaining the small rear garden and forecourt. (There are no permitted development rights for flats).

Turning to parking and access, whilst the driveway leading to the site from Selden Road is narrow; the proposed use for 3 residential units is unlikely to generate greater vehicle movements in comparison with the previous commercial units. The applicant has explained that the previous use involved 4-6 staff employed for the manufacturing of diamond cutting equipment, with 'white van' movement for the servicing and delivery of raw materials and distribution of finished products 3-4 times a day. The proposal would result in normal domestic use of the driveway for 3 dwellings (the Highway Authority are of the view that the vehicular movements generated would be less than the previous use). This, in combination with the proposed safety measure of providing a speed hump on the driveway 2 metres back from the pavement in order to slow drivers, is considered to result in an improvement in terms of highway safety regarding vehicles using the access drive.

The parking layout indicates that the new dwellings, whilst allowing for adequate vehicle turning space, would have allocated forecourt parking in line with the maximum adopted standards (2 spaces for the 3 bedroom townhouse and 1 space each for the 2 x 1 bedroom flats). Overflow parking would be likely to be infrequent and could be accommodated on the adjoining roads (although this is limited to permit holders at certain times of day). Cycle parking is indicated for the proposed flats as a means of encouraging sustainable modes of transport (a condition should require the details of the proposed enclosure to be agreed). It should be noted that the comments of the Highway Authority are supportive of the proposal.

8. RECOMMENDATION

Planning permission be granted subject to the following conditions:-

1. C1AREV Revised Standard Full Condition 3 YEARS.
2. C9I Agree/complete external finishes.
3. C7C No extension/alterations to building(s).
4. C12B Windows to be obscure glazed.
5. C12D No new windows (dwellings).
6. C12H Agree drying areas/dustbin enclosures.
7. C5K Provide secure cycle parking for flats.
8. C13L Sustainable development.
9. C5C Provide parking before occupation.
10. C5F Car park surface details to be agreed.
11. Dwellings not occupied until road hump and markings have been provided.
12. C6K Park/unloading area during construction.
13. C6L Materials/plant area during construction.

9. BACKGROUND PAPERS

Observations of the Highway Authority.
Observations of the Assistant Director (Health and Housing).
Letter of Support from the Applicant or Applicant's Agent.
Letters of Representation from members of the public.

22nd January 2008