Development Management - Delegated Officer Report

Application Number: AWDM/1928/21 Recommendation – Approve

Site: Ash Croft, 22 Elm Grove, Lancing

Proposal: Remove existing pitched roof, additional second floor to existing two storey building to create 2no. one bedroom flats with flat roof. Enlargement of existing bin store and cycle store and 2no additional parking spaces (22 Ashcroft and 24 Elmcroft)

Date of site visit: 15 September 2021

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a two storey pitched roof block of flats on the north side of Elm Grove, adjacent to the Asda car park to the north. The flats are located on a bend in the road and there is a narrow parking area to the west serving 6 cars. The building currently contains 5 x bed sit flats and 1 x 1 bed flat.

To the east there is a separate two storey block of flats (Penncroft) while on the opposite side of the road to the south are the rear of two storey dwellings in The Tynings beyond.

It is proposed to remove the existing pitched roof and to construct a second floor within a new mansard roof, creating 2 x 1 bed flats. Changes to the car park will result in an additional 2 spaces. The existing bin and bike store at the rear is also to be enlarged.

The application follows the withdrawal of a similar application earlier in the year for 3 flats. Following that withdrawal the applicant has attempted to overcome previous concerns relating to flat sizes, car parking and loss of light to the neighbouring block. These issues are considered below.

Relevant Planning History

AWDM/1490/21 - Remove existing pitched roof, additional second floor to existing two storey flatted building to create 2no. bed-sitting flats and 1no. one bedroom flat. Enlargement of existing bin store and cycle store (22 Ashcroft and 24 Elmcroft) - withdrawn

Consultations

West Sussex County Council: The Highways Authority has no objection subject to conditions to secure access, parking, cycle parking and EV charging spaces.

Comments that the proposed plans demonstrate that the existing parking area will be altered to provide a total of spaces, on an unallocated basis. The WSCC parking standards expect that a minimum of 8 parking spaces would be required for the total 8 flats on site and therefore the proposed provision is considered acceptable. The proposed parking provision would require that the existing dropped kerb be widened. This has not been demonstrated on the proposed plans - details of this can be secured via condition. Any access works would be subject to a licence from the WSCC Area Engineer and must be constructed to a specification agreed with them. The existing bin store is proposed to be enlarged to accommodate 8 bikes and encourage sustainable transport methods. In the interests of sustainability and as a result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future.

Adur and Worthing Councils: Public Health: I have reviewed the internal plan layout and noted the living/sleeping room arrangement of the proposed flats. I have concerns about the stacking of the property, and possible loss of amenity from noise transmission in having living areas directly above existing sleeping areas. I would therefore recommend that the sound insulation between the separate dwellings achieves the Approved Document E standards for a conversion property. I.e a minimum airborne sound insulation value of ≥43dB (DnTw + Ctr dB) and a maximum impact sound level of ≤64dB L nT, W). This should be tested, and the test results demonstrating compliance with this condition should be provided to the planning authority prior to the new development being occupied.

Technical Services: Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. Areas directly adjacent to the site are shown to be at risk from surface water flooding. We have no objections on flood risk grounds. Surface water drainage- the application includes no/ minor increase in impermeable area. Due to the scale and location of development we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations

West Sussex Fire Service: Having viewed the details for Planning application no. AWDM/1928/21 for additional second floor to existing two storey building to create 2no. one bedroom flats, evidence is required to show that all points inside each flat are within 45 metres of a fire appliance, in accordance with Approved Document – B Volume 1 2019 edition B5 section 13. Any areas not within the requirements of AD-B volume 1 section 13 will need to be mitigated by the installation of domestic sprinkler or water mist systems complying with BS9251 or BS8458 standards.

Southern Water: The existing development lies over a foul sewer. Approval should be sought from Southern Water where an extension to a building or underpinning work would be over a public sewer. An investigation of the

sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over the sewer. The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. There is a public water main close to the existing development. Any new external works proposed within the standoff distance of public apparatus the applicant will be required to contact Southern Water. In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; Prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public apparatus.

Lancing Parish Council: The council objects to the application due to overdevelopment and privacy in the area. They also raised concerns about the impact on the foundations and drainage of the existing property in place. Cllr Doris Martin requested that her non objection be recorded.

Representations

6 objections received from addresses in The Tynings and Elm Grove:

- Increased parking congestion
- Area is already overcrowded with on street parking
- Proposed spaces too close to pavement and likely to obstruct it
- Loss of green space/verge
- How will passengers exit the car parked close to the fence?
- Dangerous curve in road and speeding cars will make parking manoeuvres tricky
- Height out of keeping with the area
- Lack of space for construction vehicles and materials
- increased noise and pollution
- Loss of privacy to The Tynings

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 22, 28, 34
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

Visual amenity

The extended roof will be 8m tall, an increase of 0.6m over the existing highest part of the roof and an increase of 1m over the lower roof to the west. The mansard roof form will be different from the traditional pitched roofs in the area but it is not considered that it will be harmful to the visual amenities of the locality. The increased height will not result in the building being excessively tall or prominent compared with others in the street, or the adjoining block. Ramnor is a two storey detached dwelling to the west, for example, which has a steeply pitched gabled roof with side dormer and is set forward of the site on the bend in the road. The new roof will be tiled.

Residential amenity - proposed occupiers

The current application involves no alterations to the existing flats, with access to the second floor via an extension of the existing staircase. The flats have a gross internal floor area of 54m2 which meets the national guidance for a 1 bed 2 person flat. No additional external amenity space is proposed but around 120sqm of communal lawn will remain at the rear (the footprint of the building is not increasing) which equates to around 15sqm per flat which is slightly under the 20sqm recommended in DM Standard No.1. However, it is considered that the standard of amenity for residents will be adequate and a refusal could not be justified on this ground alone.

Residential amenity - existing occupiers

The new floor will result in room stacking which could result in noise disturbance between floors, with living areas directly above existing sleeping areas. This is generally a Building Regulations matter but in order to satisfy the concerns of the EHO, a condition is recommended to ensure that sound insulation between the separate dwellings achieves the Approved Document E standards for a conversion property.

There were concerns with the previous application that the additional floor and increased height of the building could lead to a loss of light and overbearing impact on the occupiers of the flats to the east at Penncroft. That building has a number of windows at the side which face the application site.

The applicant has responded by including the floor plan of the adjoining flats on the proposed plans. It shows that the most affected flats are the ground and first floor flats towards the front of the building, with the affected windows serving a kitchen and living room. The living rooms are dual aspect with windows also on the front (south) elevation. The kitchen windows are the sole opening to those rooms and will lose some light and outlook. However, a 25 degree line drawn from those windows shows that they are already affected by the existing building and the subsequent increase in loss of light and outlook as a result of this proposal is not considered to be so significant as to result in serious additional harm.

Opposite on the other side of Elm Grove are the rear elevations and gardens of dwellings in The Tynings. Residents are concerned at increased overlooking and loss of privacy. The buildings have a separation distance of 29m which exceeds the 28m distance from 3 storey buildings recommended in DM Standard No.1. While there will be additional windows facing the rear of The Tynings and an increased perception of overlooking as a result, it is not considered that a refusal is justified on this ground due to the distances involved and compliance with policy guidance.

Parking and access

Two additional parking spaces are shown to be provided within the existing parking area to the west of the flats. These are shown as being within the site but one is close to the pavement and concerns have been expressed by residents that this will lead to cars overhanging the pavement and causing a safety hazard. The other new space is parallel to the rear fence and it may be difficult for a passenger to enter or exit a vehicle which is parked there. There are also concerns at the site's location on a bend in the road and increased overspill parking on the road.

While all these points are noted, the Highway Authority has not expressed any safety or useability concerns with the proposal. The WSCC parking standards require a minimum of 8 parking spaces for the total 8 flats on site and therefore the proposed provision is adequate. There are therefore no highway grounds to refuse the application.

Additional bike storage is to be provided with an enlarged store at the rear of the building.

Sustainability

A Sustainability Statement has been submitted which does not highlight any noticeable level of energy efficiency or sustainable construction, the argument being that this is an extension to an existing building and therefore less easy to include such measures. It is also non-major development and policies 18 and 19 only require water efficiency measures, which the statement confirms will be provided.

The statement also confirms that an electric vehicle charging point is to be provided, as required by WSCC.

Overall, the sustainability measures are adequate for the scale of the development proposed.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit

3. Sound insulation between the separate dwellings shall achieve the Approved Document E standards for a conversion property. I.e a minimum airborne sound insulation value of ≥43dB (DnTw + Ctr dB) and a maximum impact sound level of ≤64dB L nT, W). This should be tested, and the test results demonstrating compliance with this condition should be provided to the planning authority prior to the new development being occupied.
4. No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority
5. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose
6. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
7. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
8. Materials as specified
9. CMP
10. Southern water
11. Hours of working

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer:	Peter Barnett	Date: 2 December 2021
Authorised by:	Gary Peck	Date: 5 December 2021