Development Control – Delegated Officer Report

Application Number: ADC/0002/10 Recommendation - APPROVE

Site: **Surry Arms, 388 Brighton Road**
Shoreham-by-Sea BN43 6RE

Proposal: **Removal of conditions 02 (car parking) and 04 (contractor's wheel cleaning) from permission ADC/0774/07 (conversion to 7 one-bedroom flats)**

The Application

The permission ADC/0774/07, granted on 2 February 2008, was to convert this disused public house (with living accommodation above) into 7 one-bedroom flats. It was a revised scheme following the original permission ADC/0226/06 for conversion to 8 flats including one in the basement.

Condition 02 requires:-

"02. The dwellings shall not be occupied until the parking spaces, cycle storage facility (sufficiently adequate to accommodate 2 cycles per dwelling unit) and access facilities shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the LPA. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the proposed dwellings."

Condition 03 is standard condition C9S (temporary wheel cleaning facility during construction period).

The approved plan showed 3 car parking spaces at the rear (plus cycle and bin stores) accessed from Surry Street to the west via a proposed rear access way to serve the proposed development of the adjacent open corner site. The plan was subsequently found to be inaccurate, with the area at the rear of the site smaller than shown, and a revision to 2 car spaces was agreed by letter of 2 February 2009.

The stub of the former highway to the west was the subject of a 'stopping-up' order and it was subsequently divided in half with the west half becoming part of the corner site to the west and the east half becoming part of the Surry Arms site (now being included within the red line delineating the present application site). Owing to the owner of the land to the west going into receivership and the delay in the development of that site, it is no longer possible to share the proposed access from Surry Street. The applicant's ownership is only 3m wide measured from the side of the building and, although this might be just wide enough for a car to use gaining access from the south, there would be insufficient space at the rear to turn round.

The present application shows the area at the rear laid out as a landscaped courtyard with a cycle store and area for bins. A fence is shown on its west side with pedestrian gate and the roadway and pavement at the side is shown left as it currently exists.

Consultations and Representations

West Sussex County Council: No objections, taking into account that WSCC had no objection to the original proposal for 8 flats with no on-site parking.

Third Parties: A letter from the resident of Flat 34 Pashley Court states that he thinks there should be a car park for the flats as there are too many cars around and he did not think flats were allowed without car parking provision.

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SCT1, T4
Adopted Adur District Local Plan 1993–2006 (ADC 1996) (saved policies): AG1, AH2, AH9
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DETR 2001)

Planning Assessment

Policies

The South East Plan has the aim of achieving more sustainable development, protecting the environment and combating climate change. Policy SP3 seeks to achieve at least 60% of all new developments on previously developed land and through conversions of existing buildings. Developments in urban areas, including infill, should be well designed and consistent with the principles of urban renaissance and sustainable development. T4 states that Local Development Documents should apply guidance on parking standards for housing in line with PPS3, reflecting local circumstances, and ensure sufficient and secure cycle parking for new flats and houses.

There are no directly applicable Local Plan policies relating to conversion of commercial buildings to flats. However, AH2 relating to newbuild residential development and AH9 relating to conversion of houses to flats are of some relevance. They state that, amongst other things, access and parking provision should meet the adopted standards and they should accord with the Council's DC Standard No.2 'Space around New Dwellings and Flats' and No.3 'Flat Conversions'. However, these pre-date PPG13/PPS3 which require restraint-based parking.

PPS3 states that residential land allocations should be in locations with good public transport accessibility and/or by non-car means, in order to cut carbon emissions. PPG13 states that maximum standards should be set for parking as a broad package of measures to promote sustainable transport choices, reduce land-take and fit developments onto central sites, tackle congestion and provide for those people without a car. For small developments, it states discretion should be used to set maximum standards appropriate to local circumstances. The amount of good quality cycle parking and motorcycle parking should be increased. It states that developers should not be required to provide more parking than they wish other than in exceptional circumstances such as significant implications for road safety.

Access and parking

Under the adopted Revised West Sussex Parking Standard, a *maximum* of 7 car parking spaces and 7 secure covered cycle spaces would be required. However, it is appropriate to relax car parking depending on the degree of accessibility by non-car modes.

The site is in a highly sustainable location, being on the edge of the town centre, and directly on bus routes (with a bus stop nearby) including ones with a high level of frequency during the working day. It is also quite near the railway station (600m).

Given that this location has such a high degree of accessibility by non-car means, it is considered that, for this small development of 7 one-bedroom flats, utilizing an existing building, it is appropriate in the context of present policy for there to be no on-site car parking. It might lead to some additional on-street parking demand but not to a significant extent and not such as to be able to demonstrate any measurable adverse effect on road safety. The stopped-up highway requires kerb and footway reinstatement for the part within this application site; the remainder will have to be a requirement of the permission for the adjacent site.

The previously approved plans for the adjacent site showed the stub of the stopped-up highway being removed and replaced with a 1m wide pathway with grassed areas either side. The present application plan shows it left as it is retaining the granite kerbed pavement (approx 0.9m wide) and road directly alongside the public house building. It is considered this should be required to be removed and reconstructed as previously approved (or similar) but preferably with a wider path.

As to the condition requiring an on-site wheel wash for construction vehicles, this is clearly not practical or necessary.

Recommendation

APPROVE for the reason:-

The proposed development is in a central location with a high degree of accessibility by non-car modes and the deletion of any on-site car parking provision is consistent with the need to encourage sustainable travel without leading to detriment to road safety. Subject to the provision of adequate cycle parking, it would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1), The South East Plan (T4) and PPS3 & PPG13.

Subject to:-

1. C8Gi (amended) The flats shall not be occupied until secure covered provision for parking 7 bicycles/motorcycles has been provided at the rear of the site in accordance with construction details to be submitted to and approved in writing by the LPA. The facility so provided shall not thereafter be used for any purpose other than parking of bicycles/motorcycles incidental to the proposed flats. R. To encourage sustainable travel in accordance with policy T4 of the South East Plan.
2. C9Ki (amended) The flats shall not be occupied until the existing vehicular access on the west side of the building has been stopped up permanently and obliterated (including the necessary highway kerbing and footway reinstatement of Brighton Road) and replaced by a pathway and grassed areas in accordance with details to be submitted to and approved in writing by the LPA. R. standard
3. Except for conditions 02 & 04, the other conditions of permission ADC/0774/07 shall continue to apply to the development. R. For the avoidance of doubt.
4. This permission relates to plans 4141/AD-01 & 02B. R. For the avoidance of doubt.

Case Office[redacted] Date..26/1/10.

Chairman of[redacted].. Date..01/02/10