Development Control – Delegated Officer Report

Application Number: AWDM/0522/15 Recommendation – APPROVE

Site: 61 South Street Lancing West Sussex

Proposal: Variation of Condition 1 of AWDM/0704/14 for change of use of 4 bedroom maisonette on first and second floors to 1-bedroom flat and 2 no. studio flats (part retrospective) to allow the works to be completed within 1 year of the original approval (by 18th September 2015).

Date of site visit: 12.09.2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property consists of a 2-storey character property which has been enlarged on the ground-floor by a substantial single-storey flat-roofed rear addition which occupies virtually the entire rear curtilage and by a large box dormer on the front roof slope. The ground-floor is used as retail shop. The upper 2 floors formerly consisted of a 4-bedroom maisonette with self-contained access from South Street. The upper floors were converted into 3 x 1-bedroom flats in 2012 without planning permission. As built, the internal layout of the flats does not fully comply with Building Regulations, and not all the flats comply with the Council's adopted minimum floor space standards.

Planning permission was granted under AWDM/0704/14 to provide 1 x 1-bedroom flat and 2 studio flats which addressed the above concerns. Condition 1 of that permission required the works to have been untaken within 6 months of the date of the permission (i.e. by 18.03.2015). The works have not been undertaken. The current application seeks to vary condition 1 to extend the period of time by which the works are required to have been completed to 18.09.2015 (i.e. within 1 year of the date of the permission granted under AWDM/0704/14).

The surrounding area is varied in character, consisting of a mix of commercial and residential uses in close juxtaposition. The attached property to the north (No.57-59 and 2-12 Penhill Road) is in the ownership of the applicant, used as a garden centre and hardware shop on 2 floors. It has been enlarged by a substantial 2-storey addition at the rear. To the south, No.63 consists of a 2-storey, rendered, Victorian end-of-terrace dwelling in use as a dental practice.

Relevant Planning History

AWEN/0109/12 – complaint received concerning use as 3 flats 25.04.2012. Enforcement Notice was due to be served but is on hold awaiting the outcome of the current application.

AWDM/0704/14 – Change of use of 4-bedroom maisonette on first and second-floors to 1-bedroom flat and 2 no. studio flats (part retrospective). Permitted 18.08.2014

AWDM/1118/12 – Retrospective application for conversion of existing three-bedroom maisonette above shop into three x 1-bedroom flats including rear dormer - Withdrawn

ADC/0047/10 Conversion of existing 3-bedroom maisonette above shop to 3 x 1-bedroom flats and addition of rear dormer – Withdrawn

Consultations:

WSCC: The Highway Authority has no objection.

Lancing Parish Council: No objection.

Representations: None received.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH9 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.4 'Flat Conversions'
National Planning Policy Framework (CLG 2012).
NPPG (CLG)

Planning Assessment

The principle of conversion to provide 1 x 1-bedroom flat and 2 x studio flats has been established by the permission granted under AWDM/0704/14. Condition 1 required the necessary works to be undertaken within a specified time in order to regularise the current situation which is considered unsatisfactory. The works have not taken place and it had been resolved to serve an Enforcement Notice to secure implementation. The applicant's agent has subsequently indicated that the reason for the delay in implementing the permission and undertaking the alterations necessary to comply with Building Regulations is due to the fact that the business partner who had been managing this project is suffering from a very serious health condition and is no longer working. The other business partner who has now taken over this project is willing to undertake the works but requires further time in which to make the necessary arrangements (bearing in mind the flats are all currently occupied). An extension of time by 6 months has been sought and is considered reasonable owing to the personal circumstances of the applicant.

Aside from the irregularity in terms of Building Regulations, two of the existing unauthorised 1-bedroom flats do not meet the minimum size of 45 sqm for a 1-bedroom flat as set out in the Council's adopted SPG DC Standard No.4 'Flat Conversions'. Since the decision on the earlier application (AWDM/0704/14) the Government has published its own Technical housing standards within the nationally described space standard. However, it is worth pointing out that the gross internal floor area of the 2 flats in question does not meet the minimum of 37sqm for a 1-bedroom, 1-person flat as set out in the

Government's published standards either. It is therefore still considered appropriate and necessary that the works to regularise the current layouts are undertaken.

Recommendation

APPROVE

1. Implement by 18.09.2015
2. Permission relates to approved plans
3. Agree precise details of the amount, design and construction of cycle storage and bin storage facilities prior to commencement of development

Informative

1. Proactive Statement – No Amendments

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

Case Officer: Jo Morin Date: 18.06.2015

Authorised by: Gary Peck Date: 18 June 2015