Development Control – Delegated Officer Report

Application Number: AWDM/0479/24 Recommendation: Approve

Site: 8-10 Gratwicke Road, Worthing

Proposal: **Change of use of existing mixed used building (retail and 2 no. residential properties) to 2 no. dwellings, including alterations to the front elevation, and erection of front boundary wall**

Date of site visit: 21.05.2024

Neighbours checked: Y

Additional neighbour notifications: N Site notice posted 16.04.2024

Site and Surroundings

The application site relates to a mid-terrace double fronted two to three storey building located on the east side of Gratwicke Road, towards its southern end close to its junction with Montague Street. No.10 includes three full storeys and roof accommodation, and No.8 is two storeys and has a mansard roof with front and rear dormers. The ground floor of both No.8 and 10 comprises of vacant shop units, linked internally, and was formerly 'Badgers Books'. Residential accommodation is on the upper floors including within the roofspace, comprising of two 2-bedroom maisonettes at No.8 and No.10 which also include the rear of the ground floor and rear amenity spaces. Works are currently being carried out which include replacement dormers and windows and a new dormer following permission earlier in 2024 (AWDM/1629/23 refers).

This is a mixed residential/commercial area, with predominantly residential uses to the north. The site forms part of a secondary frontage within the Town Centre and is within the Montague Street Conservation Area. No's 8 and 10 are identified as Local Interest Buildings. The site is within Flood Zone 2.

Proposal

The application is described in the following extract from the applicants Design and Access Statement:

'3.1 The application proposes the change of use of the mixed use building into 2 no. 4 bedroom family homes. It will involve converting the retail space to living accommodation and the re-arrangement of the accommodation in the existing maisonettes to form 2 no. new dwellings of 120.6sqm and 127.4sqm respectively. No external works are proposed beyond those already permitted, other than the insertion of windows in place of the doors to the retail space (one has been boarded over) and a new front boundary wall to create defensible space and match the existing properties in the road.

3.2 In terms of the accommodation, no. 10 will have 2 no. ground floor reception rooms in what was formerly part of the shop and the kitchen will remain in the rear outshot as existing. The original front door to the shop which was over boarded will be removed and replaced with an opening window. The first floor reception rooms will become bedrooms and the bathroom and two second floor bedrooms will remain as existing. The property will have an amenity space to the rear enhanced by the removal of the rear lean-to and insertion of French doors which was approved under application AWDM/1629/23.

3.3 No. 8 will similarly have its ground floor rooms converted to reception rooms and the kitchen will be relocated into the rear outshot from the first floor. The existing first floor kitchen will become the bathroom with 2 no. bedrooms also on this floor. The second floor will have enhanced space due to the provision of the dormers approved under the 2023 permission and will provide 2 no. further bedrooms. The amenity space will be to the rear which, like no. 8, will be improved by the removal of a lean-to and insertion of French doors. The amenity space of the two dwellings will be separated from one another by a boundary wall and screening as approved under the 2023 application.'

PV panels were originally proposed to the west and south roofslopes but have since been deleted from the application.

The application has also been supported by a Marketing Report and Flood Risk Assessment.

Relevant Planning History:

AWDM/1324/23 - Replacement windows and entrance doors, alteration of rear window and door openings, demolition of rear lean-to extensions and replacement of mansard roof, replacement of 2no. dormers, creation of 1no. new rear dormer, new boundary wall.
STATUS: APP 8th November 2023.

NOTICE/0019/23 - Application for Permitted Development for prior approval for Change of Use from existing Retail unit (Class E) to 1 no. Residential unit (Class C3)
STATUS: WDN 10th January 2024.

AWDM/1629/23 - Replacement windows and entrance doors, alteration of rear window and door openings, demolition of rear lean-to extensions, removal of chimney stack and replacement of mansard roof, replacement of 2no. dormers, creation of 1no. new dormer, new boundary wall. Resubmission of consented application AWDM/1324/23 with amendments to rear dormers.
STATUS: APP 16th January 2024.

Consultations:

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

Summary

This application seeks the change of use of existing building from mixed use retail and residential to form two dwellings. The site is located on Gratwicke Road, an unclassified road subject to a speed restriction of 30 mph. Following an inspection of the submitted application documents, no highway safety concerns would be raised, subject to the following advice.

Access
No vehicular access is associated with this site, whilst pedestrian access will remain unchanged. The LHA does not anticipate that the proposed change of use would give rise to a material intensification of movements to or from the site.

Front Boundary Wall – Stopping Up Order
I note that a front boundary wall is proposed on Gratwicke Road. The footway immediately fronting the site is publicly maintained highway. For this land to be incorporated into the site, the highway rights need to be formally removed by way of a Stopping-Up Order. This is controlled by Section 247 of the Town and Country Planning Act and would be subject to a separate process administered by the Department for Transport's National Casework Team. The Highway Authority along with other statutory undertakers and interested parties would be consultees in this process. There is no guarantee that this process would be successful.

The comments made here would not necessarily constitute the Highway Authority's formal position regarding any future stopping up. An informative note with additional information of this process is included at the bottom of this document.

Parking
No off-street vehicular parking is proposed. The WSCC Car Parking Demand Calculator indicates that a development of this size and location would require five car parking spaces. Therefore, vehicular parking would have to be accommodated on-street, as per the existing arrangement.

There are comprehensive parking restrictions in place nearby that prohibit vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the proposed nil car parking provision would give rise to a highway safety concern or parking capacity issue in this instance, but the LPA may wish to consider the potential amenity impacts.

Regarding cycles, the plans demonstrate cycle parking to the rear of each dwelling. The LHA advised that cycle parking provision should be covered and lockable, providing space for at least two bicycles per dwelling in accordance with WSCC Parking Standards.

Sustainability
The site is situated in a sustainable town centre location that is well accessible on foot or by cycle. The site is also well connected by public transport, with bus and rail connections being within walking distance of the site.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway

network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.
If the LPA are minded to approve the application, the following condition and informative should be applied:

Condition
Cycle parking
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.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
Informative

Stopping Up Order
The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process:

National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR
https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways

Southern Water has commented as follows:

Following the review of the submitted documents, we have the below comments for the Planning consultation.
Foul and Surface Water Drainage
Southern Water requires a formal application for a connection to the foul public sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse

- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here: gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

The **Worthing Society** has commented as follows:

We are concerned that the proposed photovoltaic panels will be obtrusive and detract from the appearance of the building and the street scene. These types of application are becoming more prevalent and we cannot allow concerns about energy efficiency to outweigh the impact on the visual environment. If these panels would be visible from Gratwicke Road, which we suspect is the case, their siting is unacceptable. They could no doubt be installed on the east elevation of the building and any possible loss of efficiency would be outweighed by the prevention of harm to the appearance of the building and the street scene.

UK Power Networks has made the following comments:

Please note there are LV underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

You can also find support and application forms on our website Moving electricity supplies or equipment | UK Power Networks

Environment Agency – no comments received

The Council's **Drainage Consultant** has made the following comments:

Thank you for your consultation on the above site. We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments.

The applicant is applying for the change of use of existing mixed used building (retail and 2 no. residential properties) to 2 no. dwellings, installation of PV panels on roofs and erection of front boundary wall.

Following a review of the submitted information, we would recommend the objection of the application due to the lack of safe access and egress. As stated in paragraph 44 of the PPG, "if the probability of inundation is high, safe access and escape should be maintained for the lifetime of the development". Furthermore, paragraph 47 of the PPG states "wherever possible, safe access routes should be provided that are located above design flood levels and which avoid flow paths. Where this is not possible, limited depths of flooding may be acceptable, provided that the proposed access is designed with appropriate signage etc. to make it safe. The acceptable flood depth for safe access will vary depending on flood velocities and the risk of debris within the flood water. Even low levels of flooding can pose a risk to people in situ (because of, for example, the presence of unseen hazards and contaminants in floodwater, or the risk that people remaining may require medical attention)". Currently, there is no evidence of safe access and egress, and flood depths are predicted up to 0.6m. It is only suggested that residents of the proposed property will rely on flood warnings and safe refuge on the higher level of the property. However, safe refugee is not acceptable, and flood warnings are significantly less effective for surface water flooding due to their rapid nature.
Reason
To ensure users remain safe for the lifetime of the development in accordance with NPPF and the policies of Adur and Worthing Council.

The applicant's agent has since provided examples of other approved developments for new dwellings in the town centre with access and egress from/to areas at risk of flooding and has also provided the following in response:

'As you know, the site already comprises two residential units and this proposal does not result in the introduction of additional residential units. Internal access to an area of safe refuge at first floor level is provided as part of the development, and all sleeping accommodation is located at first floor level or above. Safe escape will be provided by a formal flood warning and evacuation plan which will be prepared in liaison with the Council's Emergency Planners and be tied in with the existing emergency plans for the area, and a flood resilient boundary wall will be constructed at the front and the rear of the site, with proprietary flood resilient gates. As such, the proposal actually provides a significant betterment for the existing residential site occupants.'

' I should reiterate that part of the residential accommodation for the existing properties is at ground floor level already which again highlights the fact that the proposal does not introduce new ground floor accommodation and the proposal will improve the flood resilience of the buildings which are already in residential use.'

Further comments have since been made by the Council's **Drainage Consultant** as follows:

Commented [LP1]: Don't forget latest comments

Following a review of the updated information, we would recommend the approval of the application with the following condition attached:

Condition 1: Prior to the commencement of the development, details of all flood resilient and resistant measures shall be submitted to and approved in writing by the local Planning Authority. The agreed measures shall then be installed and maintained in perpetuity.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Worthing Council.

Following receipt of revised details to include a temporary flood barrier to be fitted across the front doors, and receipt of a Flood Mitigation Statement to address flood reliance and resistance measures, the **Drainage Consultant** has confirmed the following:

Having reviewed the provided information, we have no further consultation comments regarding the flood gate.

Furthermore, the provided resistance and resilience information satisfies the wording of the condition.

The Council's **Private Sector Housing Team** has confirmed no comments.

The Council's **Environmental Health** Officer has confirmed no adverse comments.

Representations:
None received

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)
DM5 (Quality of the Built Environment)
DM13 (Retail and Town Centre Uses
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)
DM24 (The Historic Environment)

National Planning Policy Framework (MHCLG 2023)
National Planning Practice Guidance
SPD 'Space Standards' (WBC 2012)

SDP ‘A Guide to Residential Development’ (WBC 2013)
CIL Charging Schedule (Aug 2021)

Planning Assessment

Principle of Development

Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

The application proposes to enlarge the existing 2-bedroom maisonettes to form two 4-bedroom dwellings by conversion of the existing retail area. The site is located within a highly sustainable location within the town centre with good access to facilities, shopping and public transport.

The proposal should principally be assessed in relation to the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF and weighed against the effects of the development proposal on the vitality and viability of the town centre, visual amenity and the character and appearance of the conservation area, the effects on living conditions for existing and future occupiers, highway and parking considerations, flood risk and sustainability.

Impact on the vitality and viability of the town centre

The site is within the Secondary Shopping Frontage of the Primary Shopping Area within the town centre where policy DM13 applies. Part of the site (No.8) is at the edge of the Rowlands Road Character Area.

When considering proposals for any new development, careful attention will need to be given as to how it will relate to the wider strategy for the town centre and how the proposed uses could help to reinforce and support the identified character areas. The role of the Local Plan is to actively support the change required, encouraging a flexibility of uses managed in a way to ensure that the right uses are directed to the right locations to support the overall strategy for the town centre.

The focus in the Primary Shopping Frontage will be to retain a significant quantum of units (65%) in retail uses and resist those uses that may undermine the strategy in this area. The Secondary Frontage is where a greater diversity of use is encouraged where other uses support the wider aspirations of the town centre.

Applications for uses such as drinking or takeaway establishments and other uses with closed and inactive street frontages will need to be carefully considered, taking into account the specific frontage policy and taking into consideration: any negative cumulative impact of such uses; whether such uses add to the vitality and viability of the centre; and the impact on residential amenity.

DM13 states that:

b) Changes of use and redevelopments within town, district and local centres will be carefully controlled to ensure that they support, rather than detract from, the successful functioning of the centres and their ability to meet local needs, according to their function in the hierarchy. When considering all such proposals regard will be had as to whether they would:

i) Make a positive contribution to the vitality, viability and diversity of the centre;
ii) Not unacceptably impact on daytime footfall;
iii) Maintain a strong role for the centre in providing a varied range of convenience goods and meeting other day-to-day needs;
iv) Positively restore and/or enhance the character and appearance of the frontage;
v) Maintain the continuity of active frontages;
vi) Be of a scale and type of use appropriate to the size and function of the centre, or part of the centre concerned;
vii) Ensure that any proposal will cause no significant adverse effects for the occupiers of neighbouring properties;
viii) Ensure that that there will be no severe negative impact on existing parking arrangements;
ix) Retain or re-provides ancillary facilities within individual premises, (such as loading, storage, staff or administrative facilities), unless it is demonstrated that these are no longer necessary for appropriate future use of the premises;
x) Result in an over concentration of uses such as takeaways and other uses with closed and inactive street frontages. The Council will consider the role of the centre within which the proposal is located and other matters such as the numbers of existing similar uses within the frontage and any existing or potential issues. Permission will not be granted where harm to the vitality and viability of the centre, or the amenity of local residents and businesses, cannot be adequately mitigated; and
xi) Require conditions to be applied to any new development where it is relevant and appropriate to do so, in order to control the proposed uses and allow for a managed approach to future proposals for change of use, in line with the Council's aspirations and strategies for the area.

The more detailed approach to the Secondary Shopping Frontage is as follows:

ii) Secondary Shopping Frontage (SSF) - a wider range of uses will be supported provided they are active uses with active shop fronts that will enhance the vitality and viability and complement existing uses. However, uses such as takeaways and uses with closed and inactive street frontages will be resisted.

It is noted that permitted development rights allow changes of use to ground floor Class E premises subject to specific conditions and limitations, and this was the subject of the previously withdrawn application NOTICE/0019/23 at the site. However, in that specific case the residential proposals included ground floor sleeping accommodation

which would present an unacceptable arrangement in relation to flood risk and so did not proceed.

Whilst the policy position set out in Policy DM13 of the recently adopted local plan is clear that these units should remain in a commercial/active use at ground floor, the evidence submitted by the applicants is a material consideration. The evidence indicates that the unit has been vacant for over a year and despite marketing attempts for uses within the wider Class E and with a reduction in rent there has been little interest, and of those that made an initial enquiry none have pursued it further. A range of uses had been considered and a variety of reasons put forward as to why the premises were not suitable.

Clearly having a vacant unit for over a year or more is not desirable, and it is not the intention of the policy to seek to retain units where there is no reasonable prospect of an occupier. Policy DM13 refers to the need for active frontages and seeks to resist uses that would detract from shopping frontage in which it is located and on its vitality and viability. In this instance the unit is situated within a residential street and adjoins a terrace of Victorian houses. It is also located on a side street off the main Montague Street which forms part of the Secondary Shopping Frontage.

Residential dwellings are clearly welcome given the overwhelming level of local identified need. The local plan clearly acknowledges the need for homes and the lack of supply given the significant constraints that the Borough faces. At para 1.41 its states ‘Whilst the need to deliver housing will be a priority, to ensure that we deliver balanced and sustainable communities, the provision of other uses such as employment, leisure and community facilities will also need to be carefully considered.'

DM13 is an evidence-based policy which recognises the important role town centres and the hierarchy of local centres play at the heart of local communities and the policy seeks to manage change within these centres where there is evidence to support.

In this instance given the 'fringe' location of the unit, its location within a predominantly residential area, the fact that it adjoins residential units, that the loss of active frontage is in this instance unlikely to negatively impact on the vitality and viability of the wider frontage, the length of vacancy and lack of response to marketing attempts, and no robust evidence to challenge this, on balance it is considered that the principle can be accepted in the specific circumstances of this case.

Visual Amenity and Impact on the Conservation Area

Chapter 12 of the NPPF sets out the policies to achieve well-designed places. In paragraph 131, it advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The NPPF emphasises securing high quality design that (amongst other things): will function well and add to the overall quality of the area for the lifetime of the development, is visually attractive as a result of good architecture, layout and

appropriate and effective landscaping; is sympathetic to local character and history; maintains a strong sense of place using the arrangement of streets, building types and materials to create attractive, welcoming and distinctive places to live; and, with a high standard of amenity for existing and future users (paragraph 135), and that permission should be refused for development that is not well designed, especially where it fails to reflect local design policies or government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (paragraph 139).

The Worthing Local Plan sets out in Policy DM5 requirements that all new development should

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;
ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;
iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;
iv) respect, preserve and where appropriate enhance, heritage assets and settings;
v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;
vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);
vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;
viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);
ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain. Where appropriate, this will include the protection and integration of existing trees and green infrastructure into new developments;
x) ensure that lighting incorporated into developments provides the minimum for public safety, is energy efficient and avoids light pollution.

The Councils Supplementary Planning Document 'A Guide for Residential Development' provides policy and design guidance for new residential development.

Paragraph 3.3 it states that: A key element to the achievement of good design is an appreciation of the context in which it is situated. During the design process of any new development consideration will need to be given to its local setting, the surrounding densities, local building heights and other local features.

The NPPF states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The NPPG advises that significance derives not only from a heritage asset's physical presence, but also from its setting.

Policy DM24 of the Worthing Local Plan requires that:

a) Where development affecting any designated or undesignated heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.

b) Proposed development should take account of the information and guidance in Worthing's Conservation and Heritage Guide (which will be updated and periodically reviewed).

Designated Heritage Assets

c) Development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Where proposals may result in harm to a designated asset a Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

d) Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. The reinstatement or replication of original features such as windows or doors will be supported. Materials used must be consistent with those originally used or typical of the locality. Change of use may be supported where this secures the retention of a building of historic architectural interest where it could otherwise be lost.

e) Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and

appearance of that area, and preserve important features. Conservation Area Character Appraisals will be used to assess applications within designated Conservation Areas and opportunities will be taken to preserve and enhance these areas, and to implement the recommendations of Conservation Area Management Plans. The importance to the local area of Buildings of Local Interest within Conservation Areas will be a material consideration in assessing an application for their demolition or development. Where, in compelling circumstances, the Council is minded to grant permission for demolition of a building in a Conservation Area, this shall not be granted until detailed plans for redevelopment have been approved.

The following is an extract from the Conservation Area Appraisal including describing the architectural and townscape qualities of Gratwicke Road:

The only section of Gratwicke Road within the Conservation Area is the terrace of houses Nos. 2 to 32 on the east side of the road. These buildings all have local historic or architectural interest and although predominantly of a 19th century residential character, there are a number of specialist ground floor retail uses attractively accommodated near the junction with Montague Street.

Architectural historic and townscape elements which should be preserved:
• Buildings built at the back of the pavement
• A vertical architectural emphasis in the street scene deriving particularly from the fenestration pattern and narrow plot widths
• Slate roofs
• Timber sliding sash windows

Enhancement Opportunities:
• Encourage owners and occupiers to implement schemes of repair, maintenance and external decoration which complement the composition of terraces and the street scene overall as well as being appropriate to the individual properties.

The proposed development involves limited external changes but does incorporate alterations and extensions previously approved under application AWDM/1629/23. The proposals for the installation of PV panels to the roof as originally submitted have been deleted following concerns over their visual impact in the context of this particular site.

The building includes traditionally designed shopfronts with a stallriser and fascia panel. The shopfront would be retained as part of the proposals but with opening windows inserted to each side which would replace the existing shopfront door for No.8, and where it is boarded up at No.10. The existing residential door entrances would be retained on each side. Obscure glazing would be installed to the lower glazing sections of the former shopfront windows to provide privacy for occupiers. The proportions and detailing of the proposed windows are indicated on the drawings to match the existing shopfront detailing, and this can be secured by condition including specifying a sliding sash design to ensure a satisfactory appearance.

The application proposes a front forecourt area with a low front boundary wall and piers at the entrances. Whilst this would contrast with concept of the retained shopfront

it would have the benefit of providing a small amenity area as defensible space and it would be in keeping with those of neighbouring dwellings to the north, providing some continuity. Access to the dwellings would be via the existing residential entrance doors and a revision has been made to install removable flood barriers across the existing doorways which would avoid the need for permanently installed flood barriers as flood gates across the new front forecourt. A rear flood barrier is proposed to the rear pedestrian access but would not be readily visible.

It is disappointing that the applicant has been unable to accommodate bin storage at the rear of the dwellings as was requested and instead this is proposed at the frontage, but it is acknowledged that commercial bin storage at the rear of neighbouring units limits the practical use of the access at the rear. Whilst no specific store can be satisfactorily provided in this position at the frontage given the limited area, the arrangement of a designated bin storage area within the forecourt walls which would contain this area would be reasonable in the context of this site where this arrangement is commonly seen at neighbouring dwellings within the street and as such would not cause any significant harm to visual amenity in this case.

Commented [LP2]: The plans do show space for three bins so I don't think we need the condition.

Given the limited scope of external alterations there would be no significant harm to the character of the building or the wider conservation area subject to conditions to ensure satisfactory detailing and finishes.

Residential Amenity – Future Occupiers

The NPPF emphasises the importance of creating places that have a high standard of amenity for existing and future users (paragraph 135). The quality of living environment derives not only from the amount of internal space, but also relates to issues of overlooking and privacy, natural daylight and outlook as well as the importance of private amenity space and the quality of the living environment in terms of the effect of noise and disturbance.

The existing dwellings are in a town centre location where occupiers would be exposed to noise and disturbance from nearby commercial uses and this would remain the case, albeit with the ground floor converted to living accommodation but with no significant change to the arrangement of residential accommodation adjacent to the party wall with No.6 to the south. Occupiers will be aware of the site location and risk associated with this from the outset and no objection has been raised by the Council's Environmental Health Officer.

The upper floors of the existing building comprises of two 2-bedroom maisonettes and the proposed development would involve the conversion of the ground floor retail area to enlarge each dwelling with living accommodation formed on the ground floor. The enlarged dwellings have been designed as two 4-bedroom dwellings and would have an internal floorspace of approximately 120 square metres (No.8) and 127 square metres (No.10) which would meet the Governments Nationally Described Space Standards for a 4-bedroom 6-person dwelling overall (112 square metres).

Although the external space would fall below the local standards under Policy DM2, the limited rear area is a feature of the existing terrace. The difficulties in providing private amenity space in a restricted town centre site is evident and the Space

Standard SPD acknowledges this. Nevertheless, the existing amenity space for each dwelling would be improved by removal of the lean-to structures to enlarge the rear amenity space and by forming a low boundary wall with screen to separate each area to provide more privacy to each dwelling as approved by application AWDM/1629/23. The site is relatively close to public open space such as the beach and so the shortfall is considered acceptable in the specific circumstances.

Residential Amenity - Neighbours

External alterations are limited to elevational changes to the shopfront and the formation of the front boundary wall to enclose the forecourt area and rear gate. Having regard to the scope of these alterations and the proposed change of use of the ground floor to form two enlarged dwellings, the proposed development would not pose any significant threat to residential amenity.

Access and Highways

A front boundary wall is proposed to provide a front forecourt area for each dwelling and to do so highway rights over this land would need to be formally removed by way of a Stopping-up Order. It is understood that the applicant has commenced this application process and has now received confirmation from the National Transport Casework Team that the Order can be made following planning permission being granted for the relevant works.

There is no car parking provision at present for the existing retail use or maisonettes and this will remain the case with the application proposing no car parking for the proposed dwellings. No objection has been raised by the Highway Authority to a nil parking provision and no highway safety concerns have been raised. The site is considered sustainable, being within the town centre with good access to local services and amenities, including public transport connections to the wider area, where future occupiers need not be reliant on the use of a private car. The plans indicate an area within the rear amenity space for each dwelling for cycle storage and a dedicated store could be provided. Provision of such facilities can be secured by condition if approved. As such parking and access is considered acceptable.

Flood Risk

The site is within Flood Zone 2 and a Flood Risk Assessment has been provided in support of the application which indicates that the existing floor levels are 0.97m below the 1:200 Higher Central and 1.35m below that 1:200 year Upper end flood levels. The following mitigation is outlined:

- All sleeping accommodation will be located at first floor level and above, which is above the modelled 1:200 year Upper End and 1:1000 year Upper End flood levels.
- Internal access is provided from the ground floor to provide safe refuge at first floor level.
- Flood proofing of the development will be incorporated as appropriate.
- A flood resilient boundary wall will be constructed at the front and the rear of the site, with proprietary flood resilient gates.

- Safe escape will be provided by a formal flood warning and evacuation plan which will be prepared in liaison with the Council's Emergency Planners and tied in with the existing emergency plans for the area.
- A flood warning and evacuation plan will be implemented post development.
- The applicant will register with the free Environment Agency Floodline Alert Direct service.

The originally proposed flood gate to the frontage would be part of proposals to provide a new front boundary enclosure to the dwellings and would be reliant on the formal stopping up Order being made. However, during the course of the application, the position of the flood barrier at the frontage has been revised and now proposes a temporary flood barrier to be fitted across the front door when required. The Council's Drainage Consultant has been consulted on this change and has confirmed that they have no further comments to make. In response to the Drainage Consultant's recommended condition requiring details of flood resilience and resistance measures, details have been provided by the applicant during the course of the application in a Flood Mitigation Statement, and the Drainage Consultant has agreed that these would satisfy the requirements of the condition.

The Council's Drainage Consultant has raised no objection to the proposals and the measures outlined in the FRA and Flood Mitigation Statement can be secured by condition.

Sustainable Development

The applicant has provided a supporting statement for sustainable design and proposes the following:

'It is proposed to achieve a minimum EPC C rating for the houses through the following measures:

a) Improved Insulation
i. Walls – All external walls to be insulated beyond building regulation requirements for upgrading (0.30 U-Value) to achieve levels similar to new build developments of 0.18
ii. Floors – The current suspended ground floor to be replaced with a solid, insulated build up to achieve levels similar to new build developments of 0.13 U-value (only need to achieve 0.25 for Building regulations)
iii. Roofs -To achieve U-Value of 0.11

b) Low Energy Lighting – All lighting to be low energy LED type fittings

c) Upgrading of Windows – All glazing to be upgraded from single to double glazing (Approved under previous applications AWDM/1629/23 & AWDM/1324/23)

d) Upgraded Central Heating System – New "hydrogen ready" GFCH boilers and more efficient radiators with TRV's to each room to be installed.

Preventing Overheating

The insulation measures will provide an improved airtightness and create a more stable temperature throughout the summer months. In addition, LED lighting minimises heat gain.

Minimising Waste

Much of the rubble from the demolition is to be crushed and re-used as hardcore in upgrading the ground floor of the building.

Waste is to be sorted into different load types in order to maximise the amount of materials available to recycle.'

These measures can be secured by condition to meet the requirements of local plan policy DM16.

The NPPF requires planning decisions to contribute to and enhance the natural and local environments by minimising impact on and providing net gains for biodiversity. Local Plan policy DM18 requires the protection, conservation and enhancement of biodiversity. Given the scope of the application and nature of the existing site however, there are limited opportunities for net gains for biodiversity in this instance.

Conclusion

The proposal would enlarge the existing dwellings by utilising the vacant retail area and although this would result in the loss of retail floorspace, given the specific circumstances of the site it would be unlikely to negatively impact on the vitality and viability of the wider frontage and on balance the change of use can be supported. The proposals have been designed to minimise their impact on the visual amenities of the site and character of the surrounding conservation area, and to the living conditions of neighbouring occupiers, and subject to the recommended conditions the proposals would provide a satisfactory living environment for future occupiers.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Hours of construction limited
4. Implement FRA measures, including flood warning and evacuation plan to be agreed, flood barriers, and flood resilience and resistance measures - to be implemented prior to occupation
5. Cycle parking to be agreed and provided before occupation
6. Sustainability measures to be implemented
7. Matching materials, detailing and finishes, and including sliding sash window design

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- Stopping-Up Order
- UK Power Networks
- SW – formal application
- SW – sewer investigation
- New/amended property address

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

Case Officer: Rebekah Hincke Date: 21.10.2024

Authorised by: Louise Prew Date: 24/10/2024