Development Management – Delegated Officer Report

Application Number: AWDM/1031/24 Recommendation: APPROVE

Site: **125 Lyndhurst Road, Worthing**

Proposal: **Single storey side extension to facilitate conversion of two flats to the rear into two studio units and one duplex unit; Conversion of rear facing window into patio door. Creation of private amenity space.**

Date of site visit: 3/10/2024

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located on the northern side of Lyndhurst Road. It contains a two and a half storey detached building in use as five flats. The flats are accessed on the side elevation with one also accessed from the front. The rear area is entirely hard-surfaced with a detached garage building in the northeast corner.

The site is not within a conservation area and does not contain a listed building or structure. There are no protected trees on site.

Proposal

The development proposes converting two existing two-bedroom bed flats into two studios and one single bedroom maisonette. A new door is proposed to access the maisonette.

The proposal includes the creation of patios for the ground floor units and new cycle parking to the rear of the existing car parking.

Relevant Planning History:

AWDM/0480/24: Conversion of two flats at rear of building (ground and first floor) into two studio units and one duplex unit. Conversion of ground floor window into entrance door for duplex unit. Refused 17 Jun 2024

- Refusal reason: The proposed conversion, by reason of inadequate floorspace for the maisonette, is considered to provide a cramped and substandard level of accommodation for future occupiers thereby resulting in an overdevelopment of the site contrary to policies DM1, DM2 and DM5 of the Worthing Local Plan (2023) and the Guide for Residential Development (2013).

AWDM/1695/22: Part single, part two storey extension to the rear to enlarge existing flats at ground and first floor, relocation of garages to the rear and reconfiguration of car parking Permitted 16/12/2022

AWDM/0789/22: Rear part single part two storey extension to create one bedroom dwelling. Relocation of garages at rear. Withdrawn

AWDM/0441/20: Sub-division of flats 1 and 2 at ground and first floor to 2no. one bedroom flats and 2 no. studio flats; new front porch. Permitted 14/05/2020

AWDM/1716/19: First floor extension above approved ground floor extension (being constructed under AWDM/1232/19) Permitted 17/01/2020

Consultations:

Southern Water: Following the review of the submitted documents. The applicant has stated that the foul and water is already connected. No further comment is required. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

WSP (as drainage consultant): Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

West Sussex County Council:
The LHA previously provided consultation advice for this site for application AWDM/0480/24, raising no highway safety concerns. This Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

Existing access arrangements will be unaffected by the proposals. The LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site.

The applicant will retain six car parking spaces for this development as per the existing arrangement. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least seven car parking spaces. Therefore, any overspill parking would have to be accommodated on-street. On-street parking is limited in the immediate vicinity, and whilst the LHA does not anticipate that the shortfall in parking would lead to a highway safety concern in this location, the LPA are advised to consider the potential impacts on on-street parking from an amenity point of view.

Regarding cycle parking, the applicant will retain a cycle store to the rear of the site, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

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.

Environmental Health: I would recommend the following: - Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works. Reason: To safeguard the residential amenity of the area

Private sector housing: No objections to the proposed development on PSH grounds, subject to the following:

- Property numbering is not compliant with the relevant British Standard, which can delay access by emergency services (relevant to fire safety)
- A door should be instated between the kitchen/living room and the hallway in Flat 5 (as labelled on the plans) to complete the lobby an protect the means of escape from upper floors in the event of a fire. NB. Unless the bedroom in this room has a compliant escape window then this door will also be required to protect the means of escape from the flat.
- The creation of additional units will likely result in an increase to both the volume and transmission of sound; works to mitigate the sound in line with Approved Document E would be necessary between new and existing units.

The applicant should be advised that the above mentioned items can be required retrospectively under the Housing Act 2004 following assessment using the Housing Health and Safety Rating System, and are not time-barred.

Officer's response: Flat 5 does not form part of this application so changes cannot be required. An informative can be added highlighting it to the applicant.

Representations:

Three letters were received in support on the grounds with comments including that all previous work appears to have been completed and the site has now been cleared of rubbish and improved.

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)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM17 (Energy)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)

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

Housing need

Policy SS1 of the Local Plan sets out the housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Paragraph 76 of the NPPF states that local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing for decision-making purposes where:

a) The adopted plan is less than 5 years old; and
b) That adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

Paragraph 77 goes on to state that where there has been a significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the Plan period).

The most recent housing trajectory and 5-year housing land supply for Worthing can be found in the Annual Monitoring Report 2022-23. Table 9 indicates the Five Year Supply measured against the adopted WLP annual target of 230 dwellings plus a 20% buffer, and demonstrates a 7 year supply of deliverable sites.

To maintain the supply of housing paragraph 79 of the NPPF requires local planning authorities to monitor progress in building out sites with planning permission. Where the Housing Delivery test indicates delivery has fallen below 75% of the local planning authorities housing requirement over the previous three years, the presumption in favour of sustainable development applies, in addition to the requirement for an Action plan and 20% buffer.

The latest Housing Delivery Test was published in December 2023 and Worthing Borough Council scored 33%. Therefore, the presumption in favour of sustainable development applies as the delivery of housing was less than 75% of the housing requirement over the previous three years.

The development proposes one additional unit which would make a small contribution to housing supply.

Conversion of larger units

Policy DM1 of the Worthing Local Plan relates to the conversion of dwellings into smaller self-contained accommodation. It states the proposal must provide a high

quality of accommodation, and the Council will consider the mix of dwellings locally, the impact on the character of the area, impact on neighbouring amenity, and the quality of accommodation. At least one unit should be suitable for family occupation.

The current development has five units with car parking and hardstanding to the rear but no communal amenity space. Of the three retained units two have two bedrooms and one has one-bedroom. Only one of the units has private amenity space to the front. The overall mix of units would be three 1-person units, one one-bedroom unit for two people, and two two-bedroom units. The surrounding area seems to be a mix of flats and houses, and the proposed development is appropriate in this context. It is noted that a family unit would not be provided but the current development is not considered to lend itself to family accommodation given the lack of amenity space on site and the development would not result in the loss of any family units.

Comments on neighbouring amenity and quality of accommodation are discussed later in the report.

Visual Amenity
The proposal includes a single storey side extension which would be attached to the eastern side of the existing rear extension. The extension is modest in scale and projects no further to the rear than the existing rear extension.

A rear facing window from one of the new studios will be modified to a door. This is located to the rear of the property, not visible from the public realm. It is considered to be of an acceptable design and scale.

A condition requiring the development to have matching materials will be included to ensure the development complements the existing building.

Standard of development
Policy DM2 sets out that all new dwellings will be expected to meet as a minimum the nationally described space standards.

The proposal involves converting a two-storey rear extension to its own maisonette flat. This extension was previously built to improve the size of two of the previous flats increasing them to two bedrooms each. The proposal would now result in three flats, 2 x studios and 1 x 1b1p flat over two floors.

Both studio flats comply with the Technical Housing Standards – Nationally Described Space Standard (NDSS) as they are 45 square metres with a minimum required floorspace of 39sqm.

A previous scheme which was withdrawn following concerns from the council about the amenity for existing occupiers of the two studios. (The studios would revert to the size they were before the extension was built to enlarge them). It is considered that while the ground floor outlook isn't the best it does still have four windows providing outlook and light in all directions. Private sector housing has also not raised an objection on this application. The windows for the studios are larger than they were for the withdrawn scheme and new doors are proposed to the ground floor unit which will

provide more light. A condition requiring these to be installed prior to occupation will be included.

The previous application was refused as the rear maisonette was considered to be undersized providing cramped and substandard accommodation. This new application proposes an extension which provides additional floor space to this unit. The unit would now be 45.8sqm. As noted in the report for the refused application there is no standard for a one-person unit over two floors. To allow for the additional space required to take into account the stairwell it was recommended that the unit be at least 45sqm. This would allow for 8 square metres for the stairwell, similar to that for a two-person unit over two floors. In this instance given the unit is now over 45 square metres it is considered to provide an acceptable level of accommodation, and the previous refusal reason has been overcome. A condition will be attached requiring the extension to be built out prior to occupation to ensure the unit is a suitable size.

A condition will be included for sound proofing to be installed.

Cycle parking has been north within the site to reduce the loss of privacy experienced by these rear facing units when people store their bikes. Buffer planting under windows has also been shown on the plans and will be required by condition to ensure a level of privacy for this unit.

Residential Amenity - Neighbours

The proposal results in one additional unit to bring the number of units on site to six. However, this results in possibly one fewer person on site as the development proposes one fewer bed space. This is therefore not considered to result in an intensification of the site which would be noticeable to neighbouring residents.

The extension is not located within proximity of neighbouring residents, being located at least 2.8m from a neighbouring boundary, so there would be no adverse impact on levels of light or sense of enclosure to neighbouring residents.

There is an existing brick wall between the property and the adjacent neighbours to the west, 123 Lyndhurst Road. The creation of the patios to the east of the property is not considered to result in any overlooking of this neighbour due to the existing height of this boundary treatment.

A condition controlling hours of operation will be included to neighbouring amenity is protected during construction.

Access and Highways

The LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site. Existing access arrangements will be unaffected by the proposals.

The applicant will retain six car parking spaces for this development as per the existing arrangement. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least seven car parking

spaces. Therefore, any overspill parking would have to be accommodated on-street. On-street parking is limited in the immediate vicinity but one space is not considered sufficient grounds to warrant refusal of the application.

A electric vehicle charging point required under application AWDM/1528/20 has not been installed. The condition from the application will be added to this application again to require the installation prior to occupation.

Regarding cycle parking, the applicant will retain a cycle store to the rear of the site, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

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.

Biodiversity
Local Plan policy DM18 requires the protection, conservation and enhancement of biodiversity. The proposal is for conversion of the existing building and a small extension on a currently tarmacked area. It would not result in the loss of any existing habitat. Some planters are provided to ensure privacy but these will also provide for habitat for biodiversity.

Waste
Given the change to the number of people in the property it is considered likely that the existing bin store can absorb the waste of the additional unit.

CIL
The proposal would be liable for CIL as additional floorspace is created.

Conclusion

Recommendation

APPROVE subject to the following conditions

1. Approved plans
2. Time limit
3. Matching materials
4. Extension to be built prior to occupation of the development
5. Doors to proposed ground floor studio to be installed prior to occupation
6. Sound insulation
7. Cycle parking to be installed
8. Buffer planting to be installed prior to occupation and retained
9. Hours of work
10. No part of the development shall be first occupied until details of the active EV charging point have been submitted to the Local Planning Authority and approved in writing. The details shall be installed and thereafter retained for their designated use for the lifetime of the development.

Reason: To provide adequate on-site car parking for the development.

Informative

1. Approved following amendments
2. Street naming and number
3. CIL
4. Housing works are required

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

Case Officer: Louise Prew Date: 03/12/2024

Authorised by: Jo Morin Date: 04.12.2024