Development Management - Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1159/14

Site: **41 - 43 Penhill Road, Lancing**

Proposal: **Change of use of first floor showroom to a 1 no. 1 bedroom flat. Single storey extension to side (west) elevation, alterations to front (south) elevation and new vehicular crossover**

Date of site visit: 3 October

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings:

This application seeks full permission for the change of use of a first floor showroom to a bedroom flat. The proposal also comprises a ground floor single storey extension to the west elevation to serve the showroom, alterations to the front, southern elevation and a new vehicular crossover. The first floor of No.43 is already a one-bedroom flat (No.43A).

The site comprises a bathroom showroom seemingly closed at the time of the site visit with a skip on the front forecourt. The first floor windows are half covered with projecting blinds advertising the bathroom business.

To the west is a fish bar, while to the east is Ingleside Road as the application site sits on its junction with Penhill Road. Residential properties are opposite and also to the north west at the rear, a group of 4 properties recently constructed.

Relevant site history

Planning permission was granted in 2011 for the change of use of No.41 and ground floor of No.43 from bathroom showroom/shop to 3 one-bedroom flats with associated alterations and partial demolition of showroom at rear (ADC/0481/10) but the permission has not been implemented.

Consultations

West Sussex County Council:

I refer to your consultation in respect of the above planning application and would provide the following comments.

The new access should be constructed in crossover construction in accordance with the specification obtained from WSCC. I would also seek that the driveway

is constructed in a bound material and not left as a loose material that may then be carried onto the public highway.

The site is recognised as having a permitted use as a showroom in the past. In considering the change of use the potential vehicle movements from the permitted use is a material consideration. In light of the scale of the permitted and proposed development, it is not considered that traffic generation would significantly vary between the two. It is not considered that this proposal could be resisted on the basis of traffic generation.

If the LPA are minded to approve this application a condition securing the new access and car parking should be included.

INFORMATIVE
The applicant is advised to contact the Community Highways Officer (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Adur & Worthing Councils:

Environmental Health require the contaminated land condition to be imposed on any permission

They also commented:

There are no objections to the change of use in general, however, I note that the kitchen extract from the neighbouring chip shop vents at eaves level right next to where the bathroom and toilet windows for the West flat will be. Can I ask that as part of the permission that an agreement is made with the neighbouring property to raise the height of this kitchen extract vent so fumes do not cause a nuisance to the new residents.

It has been confirmed subsequently that the condition imposed in 2011 in relation to the proposal would be sufficient.

Representations

None received

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH5, AH9, and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.4 'Flat Conversions'
'Good Practice Guidance Note: Internal Space Standards for New Homes' (ADC 2010)

National Planning Policy Framework (CLG 2012)

National Planning Guidance

Planning Assessment

Principle

The site is outside the shopping area and, as it is not allocated for any particular use or development in the Local Plan, residential use is acceptable in principle. Policy AH5 encourages the provision of dwelling units suitable for small households (including single persons) but having regard to the desirability of a mix within the locality. There is no specific policy relating to conversion of commercial or business premises to flats but policy AH9, relating to the conversion of dwellinghouses into smaller self-contained units, is of some relevance. It states that they will normally be permitted providing that access and car parking provision is acceptable; the proposal would not have an unacceptable adverse effect on neighbouring properties in terms of overlooking or noise transmission through party walls and the type of property concerned and the standard of accommodation to be provided accord to the adopted standards.

Development Control Standard No. 4 'Flat Conversions' states that the effect on the character of the area (eg. through loss of front garden to forecourt parking) will be an important consideration. It states that conversion of semi-detached or terraced dwellings to flats is not favoured because of potential noise disturbance (e.g. from a proposed kitchen or living room adjoining a neighbouring bedroom). If this cannot be minimised by appropriate 'stacking' and 'side-by-side' layouts, the onus will be on the applicant to prove that adequate sound insulation measures can be provided. It also states that where conversions include a material change to the exterior of the building, the effect of these on the property itself, on adjoining premises and on the local environment generally must be considered, and that conversions should result in an acceptable amount of amenity space for each flat.

Visual amenity

Penhill Road contains a number of flats already, some in converted houses, so there would be little visual impact as a result of the development

Residential amenity

In 2011, it was considered that the proposal would provide a satisfactory living environment for future occupiers.

The living rooms of the proposed flat would have a southerly aspect, facing towards Penhill Road. There is no rear garden onto which they could face; only the proposed yard for bin storage.

The proposed floor area is as proposed in 2011, but an access is shown to the western side of the showroom therefore providing a small amount of additional floorspace on the ground floor (since access was previously proposed through the to be converted showroom) serving a hall and WC. The existing flat at 43A has a slightly smaller amount of floorspace with its access being provided to the side in Ingleside Road.

Accessibility and parking

A new vehicular crossover will be provided to which the County Council as Highways Authority raise no objection and accordingly there are no grounds to resist the proposal on this basis.

Recommendation

APPROVE

Subject to Conditions:-

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

    Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

02. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

    Reason: In the interests of visual amenity and to comply with saved policy AG1 or AH2 of the Adur District Local Plan.

03. The flats shall not be occupied until provision has been made to protect the affected rooms from odour and noise from the adjacent fish bar extraction system, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: In the interests of residential amenity having regard to policy AG1 and AH9 of the Adur District Local Plan.

04. The flats shall not be occupied until facilities for storing refuse (including waste and recycling) have been provided at the rear of the building in accordance with details to be submitted to and approved by the Local Planning Authority.

    Reason: In the interests of amenity having regard to policies AG1 and AH9 of the Adur District Local Plan.

05 If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall

be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

Reason: To prevent harm to human health and the environment in accordance with The National Planning Policy Framework.

07. The development shall be carried out in accordance with the following approved plans:-

Location Plan unnumbered received 18 August 2014
Site Plan and Existing Elevations drawing number 214/475/1 received 18 August 2014
Proposed Elevations drawing number 214/475/2 received 18 August 2014

Reason: For the avoidance of doubt and in the interests of proper planning.

Is recommendation contrary to letter(s) of representation?

Case Officer: G Pech Date: 24/10/2014

Authorised by: [signature] Date: 24/10/2014