**Development Control – Delegated Officer Report**

**Application Number: ADC/0330/10 Recommendation – APPROVE**

**Site: 269 Old Shoreham Road, Southwick BN42 4LP**

**Proposal: Change of use to form 1 two-bedroom flat on ground floor and 1 three-bedroom maisonette on first and second floors (retrospective)**

## The Application

The property is a greatly extended semi-detached house, situated in a row of semi-detached and detached houses built in the 1920s. It backs onto an open space in Prince Charles Close where there is a line of mature sycamore trees along the boundary (one being within the site) which are subject to TPO. The plot measures 56m deep and 12m wide and slopes gently upwards to the north. According to the most recent approved plans, the house had a total of 7 bedrooms (including one bedroom on the groundfloor and 3 in the roofspace). The original side garage has been demolished and replaced with a single-storey side extension.

The front boundary wall has been removed and the whole of the original front garden is now regularly used for parking up to 5 cars.

## Consultations and Representations

***West Sussex County Council:*** No objection subject to imposing a condition requiring secure covered cycle parking spaces. Comments that it is unlikely any great intensification of use of the access results from the change of use. No sustainable transport contribution is required.

***Adur District Council:*** The Environmental Health Officer has no objection but states it is imperative that adequate insulation is provided to protect against airborne and impact noise.

***Third Parties:*** No comments received.

## Relevant Planning Policies and Guidance

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’
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
Planning Policy Statement PPS1 ‘Delivering Sustainable Development’ (ODPM 2005)
PPS3 ‘Housing’ (DCLG 2006)
PPG24 ‘Planning and Noise’ (DoE 1994)

**Planning Assessment**

***Policies***

Local Plan policy AH5 favours the supply of dwellings suitable for small households such as single persons, small families and the elderly.
Policy AH9 states that the conversion of dwellinghouses into smaller self-contained units 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. However, it states that the conversion of small family houses to flats will not be permitted, the reason being to retain an adequate stock of such purpose-built dwellings for small families.

Development Control Standard No.4 'Flat Conversions' defines small family houses as having less than 100sqm internal floor area or 3 or less bedrooms. It states the subdivision of such houses will not normally be permitted and 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 (eg. 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 this 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.

PPS3 contains no specific guidance on flat conversions except for the general statement that "Conversions of existing housing can provide an important source of new housing" (para 31). It advises LPAs to "take account of the need to deliver low cost market housing as part of the housing mix" (para 26). This is against the background of the overall objectives of delivering high quality well-designed housing; a mix of housing, including tenure and price, to support a wide variety of households; sufficient quantity and improved choice; and locations close to jobs and facilities.

***Character and principle***

There are no other examples of conversion of houses to flats in the vicinity in this road. It could be viewed as being out of character with the road but this is not likely to be seen as sufficient reason to justify refusal, given the lack of any policy basis for doing so, judging by decisions made by the Planning Inspectorate in other cases. The fact that it is semi-detached is also insufficient reason of itself to justify refusal.

The existing house prior to use as 2 flats had seven bedrooms. Its gross internal floor area is 216 square metres (excluding a proposed conservatory). It clearly is a large house, more than double the size of the Council's definition of a small family house under the Council's DC Standard No.4 (which supplements policy AH9).

***Residential Amenity – amenity space***

Policy AH9 also requires flat conversions to meet adopted standards set out in DC Standard No.4 'Flat Conversions'. The proposed groundfloor flat, at 111sqm, vastly exceeds the minimum internal floorspace required for a two-bedroom flat (57sqm) and its livingroom (22sqm), double bedrooms (17sqm and 13sqm) and kitchen (14sqm) greatly exceed the minima (14sqm, 11sqm and 5.5sqm respectively).

The proposed upper flat is on two levels but, with an area of 105sqm, greatly exceeds the minimum standard of 70sqm for a three-bedroom flat. Its livingroom (27sqm), 2 double bedrooms (14sqm,12sqm), single bedroom (8sqm) and kitchen (10sqm) exceed the respective minimum standards.

The usable rear garden area is 300sqm and, subject to its subdivision to serve each flat, it is clearly much more than enough garden space to meet the minimum 20sqm required for each flat as referred to in the above DC Standard. The groundfloor flat has direct access to its rear garden but the upper flat will need to use its front door and a side path running along the western boundary.

***Residential amenity – noise transmission***

The DC standard for flat conversions refers to room 'stacking' between the two floors being consistent so that rooms of the same type are above each other. The submitted plan partly meets this requirement vertically except for 2 bedroms being above the groundfloor livingroom and kitchen. The secondfloor kitchen and livingroom would be adjacent to the loft of the attached house (No.271).

Annex 7 of PPG24 states that the Government considers that the Building Regulations are the most appropriate means of control for sound insulation in conversions and that planning conditions should not be used to control sound insulation in such cases. It refers to Approved Document E - Resistance to the passage of sound which was updated in June 2004 and a sound test is now required to be carried out to justify the adequacy of sound insulation between new dwellings (including conversions).

***Parking and access***

WSCC have no objection subject to the provision of secure, covered cycle parking which, under the adopted standard, requires a minimum provision for 4 cycles as compared to 2 cycles for the pre-existing house.

Under the adopted maximum car parking standard, the flats require 4 car parking spaces as compared to 3 for the pre-existing house. There is space for up to 5 cars in total on the existing front hardstanding. This has direct access off the A270 and entails reversing onto/off the road (40mph limit). However, this has existed for some years and WSCC have not raised objection to it. No section 106 Obligation for a sustainable transport contribution is required.

***Other Issues***

Provision for refuse storage is not shown on the submitted plan. There is ample space on the west side where it would be out of sight from the road.

**Recommendation**

APPROVE for reason that:-

The proposed development is within the built-up area and helps meet the need for additional dwelling units without detracting from the existing local urban environment. It has taken place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It consequently does not conflict with the relevant policies of the Adur District Local Plan (AG1, AH5, AH9)

Subject to:-

1. C8Giii amended Space to park 4 cars and secure covered storage for 4 cycles (at the side or rear) shall be provided on the property and at all times kept available for parking cars and cycles incidental to the use of the property as 2 flats.
   R. In the interests of highway safety and to encourage sustainable travel having regard to PPG13.
2. Within 3 months of the date of this permission, the rear garden shall be subdivided by the erection of fencing to provide 2 separate amenity areas of at least 20 square metres for each flat.
   R. In the interests of residential amenity having regard to policy AH9 of the ADLP.

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Case Officer: Keith Morgan Date: 5 October 2010