Development Management – Delegated Officer Report

Application Number: AWDM/0402/18 Recommendation: REFUSE

Site: Garage Block, Britannia House, High Street, Shoreham-By-Sea

Proposal: Application for material change of use of approved AWDM/0091/17 to provide 7no. studio rooms, in lieu of the communal kitchen area. House of Multiple Occupation Sui generis

Date of Site Visit: 27 April

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks to amend the previous permissions for student accommodation to provide a House of Multiple Occupation. The proposed units would also increase from 6 to 7 as a result of the removal of the previously approved communal kitchen area.

The previous garage block on the site has been demolished and construction work has commenced. Beyond the site to the west is The Bridge public house which has windows facing the site. To the north east is Britannia House which has shops and commercial uses on its ground floor and maisonettes facing south. Eastwards of this is Riverside House, a three-storey block on the High Street frontage plus a lower two-storey block (Flats 9-14) with small gardens on the riverside.

Planning History:

Planning permission granted in 2015 for *Demolition of existing garage block and construction of 4 no. garages and 1 no. studio unit and communal common room and kitchen area on ground floor with an additional 5 no. studio units at first floor (6 no. units in total) for student accommodation; cycle and refuse storage at ground floor level.* (AWDM/0606/15). The permission is now in the process of being implemented.

Minor material amendment to the permission granted under reference AWDM/0606/15 for the *Demolition of existing garage block and construction of 4 no. garages and 1 no. studio unit and communal common room and kitchen area on ground floor with an additional 5 no. studio units at first floor (6 no. units in total) for student accommodation; cycle and refuse storage at ground floor level* granted permission earlier in 2017 under reference AWDM/0091/17. This permission allowed a slightly greater height and fenestration alterations.

AWDM/1306/17 - Variation of Condition 9 of AWDM/0091/17 to remove the restriction on the use of parking spaces to only vehicles incidental to the use of the proposed student accommodation – granted permission

Consultations:

Environmental Health

I have now had the opportunity to review the above application and would make the following comments.

The studio flats are too small at about 15 sq.m, compared to the SPD standard of 32 sq.m.

The development, as shown, is not an HMO as there are no shared facilities. It is not appropriate to state that the development can be treated as analogous to an HMO and so attempt to apply lesser space standards.

Occupants of HMOs have assured shorthold tenancies of at least 6 months and so cannot be considered to be transient.

I would therefore object to the application on the grounds of failing to meet minimum required space standards.

Southern Water

No objection subject to conditions

West Sussex County Council Highways

West Sussex County Council, as the Local Highway Authority (LHA), was consulted previously on Highway Matters for this location under AWDM/0091/17 for amendments to approved AWDM/0606/15 (6 x studio flats), to which no objections were raised.

The current application is to provide kitchenettes in each studio room thereby allowing for the creation of an additional studio room in place of the communal kitchen, providing a total of 7 x studio rooms, with a possible use of not only student accommodation but as House in Multiple Occupation (HMO).

Application AWDM/1306/17 was for removal of allocated parking to allow the permitted 4 x garages to be used by others. The addition of a further studio room without allocated parking in this location is not anticipated to cause a highway safety concern considering that nearby junction protection and parking restrictions prohibit parking in locations that would be detrimental to highway safety. Furthermore the LHA appreciate the sustainable location of the site with regard to proximity to services, amenities and public passenger transport.

No highway safety or capacity grounds to resist the application.

Adur District Conservation Area Advisory Group

Members concur there would be little or no demand for student accommodation on the site, there being no local universities or colleges in the area, so approval is recommended

Technical Services

On the basis that this is an internal alteration, and does not increase risk to life or increase run off as I understand it, I have no comment.

Refuse and Recycling

Questions whether additional bin capacity will be provided

Representations:

None received

Relevant Planning Policies:

Adur Local Plan: Policies 15, 20

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The main issue in the determination of this application is whether the proposed alterations will result in an acceptable standard of accommodation being provided.

The proposed use as student accommodation has been promoted by previous applications on this limited site. However, the supporting information now states:

...the market for student accommodation is very limited and restricted to the area in which the site is located. The envisaged occupier is unable to provide sufficient comfort that they will actually take up the site for development.

The supporting statement also appears to suggest that the relaxation of parking (to allow unrestricted use of the spaces rather than use by the students) has also affected this demand, although as the site is not yet been occupied, it would appear up to the applicant to restore the parking spaces to student use should they so wish.

The supporting statement further goes onto state:

Student accommodation is akin to the level of accommodation provided within HMO accommodation. The occupiers are usually transient and the rooms provided within the proposal adhere to HMO current licensing standards. As such the standard of accommodation is acceptable.

Policy 20 of the Adur Local Plan 2017 states:

New dwellings across all tenures will be expected to meet the minimum nationally described space standards unless it can be demonstrated that, in terms of dwellings created through conversion or subdivision, there are exceptional reasons why some or all of these requirements cannot be met. When considering proposals for the conversion of dwellings into flats or maisonettes, account will be taken of the size and type of property to be converted, the effects the proposal will have on the amenity of adjoining dwellings and the character of the area, including the current mix of dwellings.

The National Space Standards would require a minimum provision of 37 square metres but the proposed rooms would be significantly below such standard.

It is not considered that the previously approved use as student accommodation is a sufficient justification to allow a quality of accommodation that is far below nationally prescribed standards being around 15 square metres per unit and it is noted that the Environmental Health Officer objects to the application.

Even if case that student accommodation was not viable was accepted, there appears no reason why the layout of the units, with a lesser number, could not be proposed to provide a more acceptable standard of accommodation. Instead, the proposed number of units is increased from the previously approved 6 to7 which reduces the available floorspace still further.

The proposal is therefore considered unacceptable

Recommendation

The proposed units would fail to meet National Space Standards by a considerable margin and it is not considered that any exceptional circumstances have been provided demonstrating why such standards cannot be met. The proposal therefore fails to comply with the Nationally Described Space Standard as set down by the Department of Communities and Local Government and policy 20 of the Adur Local Plan 2017.

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

Case Officer: [redacted] Date: 20/7/2018

Authorised by: [redacted] Date: 23/7/2018