

Recommendation Report for Planning Permission

REF NO: EP/4/19/PL

LOCATION: 56 St Marys Drive
East Preston
BN16 1JB

PROPOSAL: Conversion of office building (B1 Business) to 2 No. 2 bedroom self contained flats (C3 Dwelling houses).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal would provide 2, two bedroom flats. 1 per floor. The application site includes an amenity area to the rear of the building measuring 10m by 3m. The proposal also includes the provision of a shed for each unit within the amenity area for the storage of cycles.
SITE AREA	147 sq m
RESIDENTIAL DEVELOPMENT DENSITY (NET)	13 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Close boarded fencing to footpath boundary
SITE CHARACTERISTICS	Detached 2 storey building with tile hung first floor and brick to ground floor. Building is currently empty.
CHARACTER OF LOCALITY	Predominantly residential. One of several buildings of identical appearance in landscaped grounds.

RELEVANT SITE HISTORY

EP/111/18/PL	Remodel the existing dwelling into 4 No. self contained units.	Refused 02-10-18
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EP/111/18/PL was refused for 4, one bedroom flats. 2 per floor. The application site only related to the building and did not include car parking or outside amenity space. The application was refused for the following reason:

'Having regard to the limited size of the property, its conversion into 4 units of accommodation would give rise to an over-development of the site and an unsatisfactory environment for the occupiers in conflict with policies DDM1 and DDM2 of the Arun Local Plan and policy 1 of East Preston Neighbourhood Plan.'

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

East Preston Parish Council

No Objection - although there were concerns about the lack of parking provision.

COMMENTS ON REPRESENTATIONS RECEIVED:

The level of car parking is comparable with that generated from the existing use as 7 offices and the there is no objection to the proposal from County Highways. 7 offices could have been occupied by 7 staff members, each driving to work which would have generated demand for 7 parking spaces. If the proposed use generates 3 parking spaces per unit this would be less than that previously generated. A refusal on lack of car parking would not therefore be justified or reasonable. Further, car parking did not previously constitute a reason for refusal and this proposal generates less parking demand.

CONSULTATIONS

Environmental Health

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection. Cycle parking should be conditioned.

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development

[East Preston Neighbourhood Plan 2014 Policy 1](#) Housing - General Principles

East Preston Neighbourhood Plan 2014 Policy 3 Design in Character Area Two

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

EPDS	East Preston Village Design Statement
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Policies 1 (Housing - General Principles) and 3 (Design in Character Area Two) of East Preston Neighbourhood Plan are considered relevant to determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse effect on the residential amenities of future occupiers.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE/POLICY

Arun Local Plan
Policy SD SP2- Built-up Area Boundary

Built Up Area Boundaries are defined for the main towns and villages in the District and shown on the Policies Maps. Development should be focused within the Built Up Area Boundaries and will be permitted, subject to consideration against other policies of this Local Plan.

The key Policy considerations in the determination of this application are deemed to be D DM1 and D DM4 of the Arun Local Plan, Policies 1 and 3 of the East Preston Neighbourhood Plan and guidance within the National Planning Policy Framework.

Policy D DM1 - Aspects of form and design quality

When considering any application for development the Council will have regard to the following aspects:

1. Character
2. Appearance/attractiveness
3. Impact

Policy D DM4 - Extensions and alterations to existing buildings (residential and non-residential)

When considering applications for alterations to existing buildings, the Council will require that the alteration sympathetically relates to and is visually integrated with, the existing building in siting, massing, design, form, scale and materials, is visually subservient to the main building and provide a high standard of amenity, does not have an adverse impacts on neighbouring properties and respects the established spatial character.

East Preston Neighbourhood Plan

Policy 1: Housing - General Principles

Development proposals will be supported provided:

- i. the scale, density, massing, height, landscape design, layout and materials of proposals, including alterations to existing buildings, reflect and enhance the architectural and historic character and scale of the surrounding buildings;
- ii. they meet the adopted car parking standards, whereby the amount and method of parking provision should not adversely affect road safety, or result in unacceptable levels of on-road parking demand;
- iii. where proposals for use of a dwelling as a commercial holiday letting they will not harm the amenities of the local residential area; and
- iv. they retain amenity land, incidental open spaces and roadside verges.

Policy 3: Design in Character Area Two

The Neighbourhood Plan supports proposals provided the scale, density, massing, height, landscape design, layout and materials maintain a low building height and the height of the roof is not increased.

National Planning Policy Framework (NPPF)

Paragraph 11. Plans and decisions should apply a presumption in favour of sustainable development:

For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

DESIGN AND VISUAL AMENITY

There are no external changes proposed so the appearance of the property is not altered and there be would be no impact on the street scene.

The proposal alters the internal layout to provide 2 residential flats which would not unacceptably increase the density of units within the building which has previously been used as 7 offices. The density of development would be in keeping with the area generally which comprises a mix of single dwellings and flats within landscaped gardens with car parking space provision. This subdivision would not result in

an increased demand for parking and activity levels, above the use as 7 offices, which would not adversely affect the intensity of use and character of the area.

As such, it is considered that the proposed subdivision would not result in an overdevelopment and would comply with Policy D DM1 (1) and (13) of the Arun Local Plan or policy 1 of the Neighbourhood Plan.

RESIDENTIAL AMENITY AND SPACE STANDARDS

The subdivision of the building into flats would be acceptable in principle. The number of units has been reduced from 4 to 2 following the refusal of 4 units under EP/111/18/PL. The floor area of the units has therefore doubled. Policy D DM2 of the Arun Local Plan applies (Internal space standards) which confirms that the planning authority will require internal spaces to be an appropriate size having regard to the Nationally Described Space which require single storey 2 bedroom, 4 person flat to have a minimum gross internal floor space of 70m sq. The submitted floor plans show minimum floor areas of 94 sq m, both above this standard. As such, it is considered that the proposal would comply with Policy D DM2 of the Arun Local Plan.

In addition the red edge of the application site now includes outside amenity space with sheds for cycle parking and space for bin storage. There is also provision of open space for recreational purposes available at Lashmar Road or close to Oakley Gardens.

It is not considered that the subdivision for residential use would lead to detrimental activity levels or noise issues. The use as 7 offices would have generated comparable levels of activity from employees entering and leaving the premises on a daily basis. Appropriate sound insulation measures between adjoining living areas would be required as part of a building regulation application which would be expected to prevent unacceptable noise breakout between adjoining flats. There would therefore be no materially adverse impact on the residential amenities of neighbouring properties.

As such it is considered that the proposal would not comply with policy D DM1 of the Arun Local Plan.

PARKING AND HIGHWAY SAFETY

Policy T SP1 of the Arun Local Plan applies which states that the Council will support transport and development which incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking.

The site is sustainably located close to bus routes in The Street and North Lane, and the existing use of the property as a single dwelling would generate car parking demand which would need to be offset against that generated by the proposed use. The lack of car parking is unlikely to result in unacceptable levels of on-road parking demand and needs to be offset against the parking that would have been generated by the 7 offices which currently exist within the premises. The proposal would therefore accord with Policy 1 of East Preston Neighbourhood Plan. It is noted that cycle parking provision is also included in this re-submitted proposal. No cycle parking was included in the earlier refused application.

The proposals would not have a 'severe' impact on the operation of the highway network and therefore is not contrary to the NPPF. As such, it is considered that the proposal would comply with Policy T SP1 of the Arun Local Plan.

SUMMARY

It is recommended that the planning application is approved subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
General Arrangement Drawing Existing & Proposed Floor Plan, Roof Plans and Elevations 2356/18/01/A
Proposed Storage Shed Details 2354 18/SD01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The buildings shall not be occupied until the cycle parking facilities shown on the submitted plans have been provided and constructed. The sheds so provided shall thereafter be retained and utilised for the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DDM1 and TSP1 of the Arun Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.