Development Management – Delegated Officer Report

Application Number: AWDM0753/23 **Recommendation: Approve**

Site: **43 High Street, Shoreham-by-sea**

Proposal: **Refurbishment to the ground floor of the building. Ground floor extension to the rear providing a single bedroom apartment. Extension and refurbishment works to first floor creating a 2 bed maisonette on first and second floors. Rear terraces at first and second floor.**

Date of Site Visit: 29 June 2023

Neighbours Checked: **Y**

Additional neighbour notification: **N**

Proposal, Site and Surroundings:

This application relates to a mid-terraced, three storey building on the south side of Shoreham High Street within the town centre and Shoreham conservation area. This area is made up of shops, restaurants and other commercial uses with residential above in most cases. The High Street is heavily trafficked and is an identified Air Quality Management Area.

The rear site boundary faces the river but does not extend to the riverside walkway. Nos. 39-41 to the east, Tosca restaurant, owns most of the land bounding the riverside walkway. This walkway is also within the conservation area.

On the site at ground floor is a vacant commercial unit, previously in use as a betting shop. There is a vacant two bedroom maisonette on the two upper floors accessed from a rear staircase. The building has a shallow pitched roof behind a front parapet, typical to the terrace in which it sits. Tosca, to the east, is a double fronted restaurant also with a maisonette on the upper floors (no. 41) with rear access. Tosca has been extended along the riverside walkway to create a two storey link detached addition with upper floor dining space and storage beneath. Due to the drop in ground level from front to back, dining space is at raised ground floor level at the rear. The large flat roof area at 41 has extensive ventilation across it as well as a detached outbuilding used by staff for storage purposes, lockers etc. Further east, at No. 39 are two flats on the upper floors with a two storey (1st and 2nd floor) extension to create living rooms with balconies overlooking the river, to each flat.

To the west is the Grade II listed old Town Hall. It has a 2 storey façade and is used as a restaurant on the ground floor with office accommodation above over 2 floors.

At the rear is The Annexe, a later 4 storey extension to the old Town Hall. This is flat roofed and used as office accommodation. There is also a 2 storey flat roof rear extension to the listed building closer to the site boundary.

In the mid 1980's planning permission was approved for a further extension to provide a four storey block of flats fronting the river, with garaging at ground floor, Town Quay Apartments. One of the garages is now office space.

Planning permission was granted in 2020 to extend the roof of the original building with a rear dormer and to convert the existing upper floors into two flats. The existing ground floor rear extension was to be demolished and replaced with a three storey rear extension with a dormer roof extension to create a larger commercial unit and a further two flats with balconies. Principal access to the flats would be from the front with the introduction of a separate entrance into a new shopfront. Secondary access would also be available from the rear where refuse storage and individual storage for each flat was also provided. New timber sash windows together with replacement timber sash windows in the front elevation were proposed together with a new timber shopfront (AWDM/1924/19).

That application followed an earlier refusal for a larger development to create 6 flats, AWDM/1152/19 refers.

This application proposes a reduced scheme to that approved in 2020. It is proposed to refurbish the ground floor for use as commercial space. At the rear, part of the existing floor area plus a ground floor extension 4.4m deep will provide a 1 bed flat. A first floor rear extension is also proposed of 3.4m depth, plus refurbishment of the existing accommodation, to create a 2 bed maisonette. Access to the flats is from the rear via new external staircases. A timber decked area and garden is provided for the 1 bed flat. Bin and cycle storage is also provided at the rear.

At the front, at ground floor level, a bin store is to be created by installing an access door to the side of the shopfront, as previously approved, but this time purely as a facade/access to the bin store for the retail unit. The shopfront is to be replaced and the existing brown tiles replaced with render. On the upper floors, UPVC windows are to be replaced with timber sash windows.

At first floor the extension will provide kitchen/dining/living areas for the maisonette which leads onto a large terrace which serves as the roof of the flat below. A rooflight is shown in the terrace, which is to be frosted to maintain privacy for the flat below while also providing light to that flat.

At second floor are the bedrooms to the maisonette. A smaller terrace is also to be provided at this level which also forms the roof of the first floor extension below.

Unlike with the previous scheme, the roof will remain unaltered. There is much less bulk and massing associated with this current proposal but the terraced areas are larger. Materials used will be brick and render.

Planning History:

AWDM/1924/19 - Demolition of existing single storey rear extension and construction of 3.5 storey rear extension to provide extended ground floor retail floorspace, plus 2no. studio flats at first floor level, one flat including rear balcony. Conversion of second floor and roof space of existing building to provide a further 2no. one bedroom flats with dormer windows to rear, one flat including rear balcony at second floor level. New shopfront to include separate access to proposed flats. Storage for flats to be included at ground floor level. Restoration of front elevation of existing building including new sash windows. (Revisions - revised balcony design and introduction of photovoltaic panels onto roof of rear link addition) - approved

AWDM/1152/19 - Demolition of existing single storey rear extension and construction of four storey rear extension to provide extended ground floor retail floorspace plus 3no. studio flats with rear balconies. Conversion of upper floors of existing building to provide a further 3no. studio flats including extension to existing roof to form mansard roof with dormer windows to front. New shopfront to include separate access to proposed flats. Storage for flats to be included at ground floor level. Restoration of front elevation of existing building including new sash windows - refused

Consultations:

West Sussex County Council: The Highways Authority: No objection. No vehicular access is associated with this site. Pedestrian access will be retained from High Street for the refurbished retail unit, whilst pedestrian access will be to the rear via Town Quay for the existing and proposed residential units. The proposed development is not anticipated to give rise to a material intensification of movements to or from the site.
No vehicular parking is proposed, as per the existing arrangement. Under WSCC Parking Standards, the proposed single-bedroom residential unit would require one car parking space, which would consequently have to be accommodated on-street. Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place on the nearby roads prohibiting vehicles from parking in places that would be a detriment to highway safety. The LHA does not anticipate that the proposed nil car parking provision would give rise to a detrimental highway safety impact, nor give rise to a parking capacity issue. However, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area, and the applicant has

demonstrated a cycle store to the rear of the site for residential use, in accordance with WSCC Parking Standards. The site is also well connected by public transport, with regular bus connections available nearby on High Street. Shoreham-By-Sea Train Station is located approximately 600m northeast of the site.

Adur and Worthing Councils: PSH: Original Plans: Grd floor flat has an inner bedroom which needs an escape window. 2nd floor bedrooms can only be accessed through 1st floor kitchen/diner so are inner rooms at fire risk
Amended Plans: Appears satisfactory

Public Health:This is ok, subject to the glazing and trickle vent specification in the acoustic report being implemented.

Southern Water: Building over a sewer

ADCAG: Approve subject to addressing of PSH comments

Environment Agency: No objection subject to compliance with FRA

Representations

4 objections received from the occupiers of 39, 41, 41A High St, 4 Town Quay

- Stairs moved from east to west allows unobstructed views into bedroom windows at Town Quay
- Noise from terraces
- Limited access to the site/lack of parking
- Loss of privacy
- Loss of light
- Overdevelopment
- Problems with bin store/access to it
- Site boundary should finish at end of garden not up to river wall

Relevant Planning Policies

Adur Local Plan 2017 1, 2, 11, 15, 16, 17, 18, 20, 22, 28, 33, 34, 35 and 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';

Sustainable Energy SPD (August 2019)

Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)

Technical Housing Standards – nationally described space standard (DCLG 2015)

National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

Permission has already been granted for a larger scheme and there is no objection in principle to the current scheme. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the Conservation Area.

Visual amenity

The proposal has been reduced in scale since the approval in 2020. From the High Street the appearance of the building will be improved but not greatly changed. The proposed changes to the windows and shopfront will enhance the appearance of the frontage.

The scale of the rear extensions has been reduced. The reduced depth still abuts the boundary with the listed building, Town Hall Chambers restaurant, but with its reduced scale, this proximity is considered to be acceptable. The extended rear elevation of the listed building is of less significance to its listing and the proposal will cause less than substantial harm. The benefit of the improvements and upgrade in the accommodation, creating the additional flat and bringing the vacant shop back into use outweighs any harm caused.

From a conservation area viewpoint, the High Street frontage will be improved with the alterations to the shopfront and timber sash window replacements. A new door is proposed on the west side of the frontage to access a proposed bin store for the retail unit. This replicates the door previously approved as an access to the flats. At the rear of this terrace various additions, of differing scale and design have been added. This proposal does not have the ‘presence’ of the previous scheme and will have less impact in views from across the river. Its flat roof design will not be out of character with the general form of development at the rear of the High Street, but it is nevertheless considered to improve and ‘tidy up’ the rear of this building to the benefit of the visual amenity of the locality.

Residential amenity - existing occupiers

Above Chambers restaurant are offices and the proposed 1st floor extension will not project beyond the line of the original rear wall of the old town hall. A small outside dining area at the rear of the restaurant will not be adversely affected.

No. 41, to the east, has a flat at first and second floor level. This flat has a small rear porch extension at first floor rear and a detached outbuilding on the flat roof immediately outside this rear porch extension. At first floor level the flat has a bathroom window closest to the site boundary and a kitchen window beyond with their 'front' door between the two. The second floor window is to a bedroom with a living room and bedroom facing the High Street on the respective floors.

The first floor extension will only project 3.4m, compared with the previous scheme of 10.5 metres from the original rear wall of No. 41. The extension will therefore have much less impact on light and outlook, particularly as the kitchen and bathroom windows are obstructed by the porch and outbuilding already. The second floor window will continue to receive light and outlook from the east and south. The flat roof itself is in part used as a roof terrace for the residential occupiers of 41a. Their outlook and light from the south and east will not be affected. The use of the proposed terrace has the potential to cause overlooking but there is an existing first floor terrace at the rear of the site which has a similar impact already. Mutual overlooking is common in this area already and this proposal is not expected to worsen the situation.

No. 39, further east, has been extended with a pitched roof two storey rear extension (first and second floors) to extend the living rooms of both flats. This extension also includes rear balconies. The rear flat roof at 39 is used as a roof terrace.
The proposed extension will not have an overbearing impact on either No. 39 or 41.

Town Quay Apartments have a riverside frontage and are arranged in an 'L' shape around a courtyard behind the listed building. All residential accommodation is at first to third floor level with garaging at ground floor, other than 1 garage which is now occupied as an office.

The upper floors of the proposed extension will be 15m from Town Quay. There are windows on the east side of that building which are unaffected plus windows in the north (rear) elevation and east facing windows in a section of Town Quay which links to the old town hall, but these are offset from No.43 and are not considered to be adversely affected by the extension itself.

The use of the large terrace has the potential to cause some overlooking, being less than 10m from those north and east facing windows. External stair access is also shown on the east side of the extension.

However, these rooms are believed to be bathroom and landing windows only. Living rooms in Town Quay face the water.

In the east wall of Town Quay on the site boundary are kitchen windows. A bin and bike store is shown adjacent to this part of Town Quay, but the bins are on the boundary with No.41. There are already 4 bins stored in this rear yard. Some additional disturbance may occur to residents of the flats at Town Quay due to the proximity of the proposed stair entrance and bin storage area but it is not expected to be excessive as only one additional unit of accommodation is being created. In this mixed town centre, urban environment some noise is to be expected. A small roof could be added to the nearest bins if odour was likely to be a nuisance.

An air source heat pump is proposed on the first floor roof terrace. Visually, this will not be significantly more intrusive than the large extract flues on the flat roof of the neighbouring building. In noise terms, ASHPs are considered to be acceptable in residential areas and in many cases are permitted development. There are no noise concerns therefore with this aspect of the proposal.

Residential amenity - proposed occupiers

The ground floor flat is a 1 bed flat with a floor area of 42.5m2. The first and second floor maisonette has a floor area of 93m2. The 1 bed flat is shown as having a double bedroom and therefore falls short of the 50m2 minimum standard for a 2 person flat. However, it does exceed the requirement for a 1 bed flat (39m2) and, on balance, the floor area provided is considered to be adequate. The 2 bed maisonette exceeds the standard of 79m2 for a 4 person 2 bed flat over 2 storeys.

The Private Sector Housing team initially identified problems with the layout in both flats. Amended plans have been received to address the issues raised and their objection has been removed.

The site is within an Air Quality Management Area and the High Street has been identified by DEFRA as an area severely affected by traffic noise. An Air Quality Impact Assessment submitted with the previous application set out a number of mitigation measures during the construction phase and operational phase, including locating air intakes at the rear where possible. A contribution of £2,819 was suggested to be designated towards measures that contribute to improving local air quality. That scheme was for more units and it appears that no contribution was sought as part of that permission. As the current scheme is for less units, and as no contrition was sought previously, it is not considered that a contribution is required in this case.

The rear of the development, overlooking the river, is affected by mechanical noise from the kitchen extract and ventilation systems of the neighbouring commercial units and from customers of the Crown and Anchor pub using the beer garden. A noise assessment has been submitted which recommends acoustic glazing and

mechanical ventilation and the Environmental Health Officer has no objection provided this is implemented.

Parking and Access

No parking is to be provided. The site is within a sustainable town centre location and a bike store is to be provided.

Sustainability

The plans indicate possible PV panels on the south facing (rear) roofslope as well as an air source heat pump on the first floor rear terrace.

The ASHP will be screened by the balustrade to the terrace but the PV panels would be visible on the southern roofslope facing the river. It is considered that further details are required of their appearance and method of installation and this can be required by condition.

Flood Risk and Drainage

The site is in flood zone 3 and the EA has no objection provided the development is carried out in accordance with the submitted FRA. The ground floor flat has its only means of access and egress from the rear which means in a flood situation the stairway access would potentially not be a safe means of escape. The applicant has responded by advising that there was not considered to be a viable alternative without affecting the appearance of the frontage. The Council's Emergency Planning Officer has not expressed any concern at the layout and, on balance, in light of the lack of objection, this arrangement is acceptable.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Samples of Materials
4. Details of all new windows including new shopfront
5. Compliance with air quality statement, acoustic statement and overheating assessment
6. Details of all plant associated with ventilation/pv's – siting, appearance, noise outputs

7. Details of air source heat pump/s and PV panels
8. Construction management plan
9. Details to protect public sewer
10. Details of roof for bin enclosure
11. Details of balconies and screens
12. Bike store
13. Compliance with FRA

Is recommendation contrary to letter(s) of representation Y

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The air source heat pump must comply with the IoA and CIEH guidance: 'Heat Pumps, Professional Advice note (available at https://www.ioa.org.uk/heat-pump-briefing-notes-calculation-sheet-ioa-cieh).

Case Officer:	Peter Barnett	Date: 17 October 2023
Authorised by:	Gary Peck	Date: 17 October 2023