Expiry Date – 6/1 EOT 14/1

Development Control – Delegated Officer Report

Application Number: AWDM/1860/21 Recommendation – Grant

Site: 32 Greenways Crescent, Shoreham

Proposal: **Change of use of existing garage to physiotherapy clinic.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 20/5

Site and Surroundings

This application relates to an end of terrace dwelling on the east side of Greenways Crescent. The property shares a driveway with No. 34, to the north, and each has a garage at the head of the drive behind their houses.

No. 34 is on slightly higher ground and has recently replaced their garage.

The site is not in a conservation area.

Proposal

A new outbuilding has been built in recent months in place of the old garage. The outbuilding is not a garage as it does not have a garage door but instead has a single width door with WC in its front, drive facing, wall with a second door to a small bike store area. Behind these is a larger room with door and window south facing onto the rear garden.

The homeowners are both physiotherapists and would like to run a physiotherapy clinic from their garage. The supporting information states that:

1. Weekdays, evenings (up to 9pm) and weekends would be intended opening hours but probably no more than 15 hours per week in total.
2. 1 client on site at any given time.
3. Parking is likely to be on street but cycle parking is available within the site.

Relevant Planning History

AWDM/0418/21 - Replacement of existing garage with new detached outbuilding with pitched roof. Granted 24.5.21

AWDM/1841/18 - Lawful Development Certificate for proposed rooms in roof with hip to gable roof extension to north elevation, rear dormer with Juliet balcony to east elevation and 3no. rooflights to front (west) elevation. Issued.

SU/197/98 - Single-Storey Rear Extension. Granted.

Consultations

Highways: *'This proposal is for the change of use of existing garage to physiotherapy clinic. This application is retrospective, with the works having been completed on 24/09/2021. The site is located on Greenways Crescent, an unclassified residential road subject to a speed restriction of 30 mph.*

The application documents do not provide details of hour many clients will visit the clinic per day. However, given the scale of the clinic building, the LHA does not anticipate that the proposed change of use would give rise to a significant material intensification of movements to or from the site.
The proposals will result in the loss of the garage as a parking space. However, the site benefits from an existing driveway with space for at least three cars to be accommodated. In addition, Greenways Crescent has unrestricted on-street parking and the site is within walking distance of bus stops on nearby Upper Shoreham Road.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposals would exacerbate an existing safety concern.

In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.'

Environmental Health: *No objection but unrestricted Class E use could be unneighbourly. Therefore the use should be restricted to the proposed use*.

Southern Water: *'Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements*

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The proposed development would lie within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.'

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2, 15, 34 and 35
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The principle of development can be supported as it supports the start up of a small scale business suitable in a residential area without causing significant harm. For consideration is the impact of the proposals on neighbour amenity, local character and the highway network.

Neighbour amenity

The garage sits alongside a recently built one at No.34 at the head of a shared drive. There are no side windows in the ground floor of No. 34 other than a hall window. The driveway is narrow and so not really suitable for vehicular use.

A physiotherapy clinic in itself should not generate noise. Providing the clinic is only operated by the homeowners and not sublet and has only a single client on site at a time during reasonable business hours it is not anticipated that any significant nuisance to neighbours will occur. Reasonable business hours in this case given the use is from a detached building via a shared drive and to the rear of houses are considered to be 8.30am to 7pm Monday to Friday and 9am to 2pm on Saturdays only. The evening cut off is more restrictive than sought by the applicant but 9pm is considered to be too late, initially anyway. It is open to the applicant to reapply for longer hours once the business is established and it can be properly demonstrated that harm would not occur with later opening hours.

Character

The scale of this proposal and the intended use is considered to be compatible with this residential area. Restricting the use to that of a physiotherapy clinic within Use Class E is appropriate to prevent inappropriate Class E uses that might have greater impacts.

Highways

Off street parking is available on the forecourt for 1 car and cycle parking can be provided inside the rear garden gate for clients. A single client on site at any given time will not result in excessive on street parking.

Recommendation APPROVE subject to the following conditions:

1. *Approved Plans*
2. *3 years*
3. *Personal to Mr and Mrs Grinstead only*
4. *No more than 1 client on site at any given time*
5. *Hours of use 9am to 7pm Monday to Friday and 9am to 1pm Saturdays only.*
6. *Restricted to Physiotherapy clinic only within use class E*

Informative

1. 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.

Is recommendation contrary to any representations? No.

Case Officer signed: MOK Date: 7/1/22

Authorised and signed by: Peter Barnett Date: 7 January 2022