Development Management – Delegated Officer Report

Application Number: AWDM/1746/22 Recommendation: Approve

Site: Land At 10 John Street, Shoreham-by-sea

Proposal: Demolition of existing garages and erection of pair of semi-detached three-storey dwellings to frontage facing John Street and one part single and part two-storey detached dwelling to rear with associated parking and landscaping. Variation of Condition 1 (Approved Plans) of previously approved AWDM/0741/18 to allow Unit C to be re-sited further south.

Date of Site Visit: 21 November 2022

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application relates to an L-shaped site within the Shoreham Conservation Area located between John Street and Middle Street. It previously contained 16 lock-up type rented garages that were used for parking and storage purposes. These have now been demolished. To the south there are two houses, 6 and 8 John Street; No.8 is a three storey building set back from the road, behind the front of the westernmost garage block.

The rear of the site is surrounded by development. To the north lies the Middle Street public car park while to the east there is a terrace of 2 storey dwellings, at the north end of which is the Royal Sovereign Pub. To the south there is a commercial yard/parking area.

Planning permission was granted for the demolition of all of the garages and the construction of 3no. dwellings (AWDM/0331/17), later amended by AWDM/0741/18. The approved plans showed two dwellings will face John Street and will take the form of a pair of staggered, gable-fronted three storey semi-detached houses, each with a parking space in front. The third dwelling will be located at the rear of the chapel in John Street and will be a part two storey/part single storey building.

Work has commenced on site and it has been discovered that Unit 3 (the unit at the rear of the site) has been re-sited further south by 1m. This application seeks permission to regularise this amendment.

Planning History:

AWDM/1580/22 - Demolition of existing garages and erection of pair of semi-detached three-storey dwellings to frontage facing John Street and one part single and part two-storey detached dwelling to rear with associated parking and landscaping. Application for Variation of Conditions 1 (Approved Plans) and 3 (External materials) of AWDM/0741/18 to change roof material to PVC single ply membrane in place of previously approved zinc - approved.

AWDM/0741/18 - Demolition of existing garages and erection of pair of semi-detached three-storey dwellings to frontage facing John Street and one part single and part two-storey detached dwelling to rear with associated parking and landscaping - approved.

AWDM/0331/17 - Demolition of existing garages and erection of pair of semi-detached three-storey dwellings to frontage facing John Street and one single-storey detached dwelling to rear with associated parking and landscaping - approved.

Consultations:

West Sussex County Council: The Highways Authority has no objection. From inspection of the plans, the proposed changes only relate to the relocation of one of the dwellings approximately 1m south of the original approved location. The revised location is not anticipated to give rise to any adverse highway safety impacts.

Adur and Worthing Councils: Public Health: No comments
PSH: No objections

Southern Water: No objections

ADCAG: according to our records, ADCAG was not asked for comments on the original application No. AWDM/0741/18 & thus feel unable to comment on AWDM/1746/22 due to lack of information on this case which appears to have been approved in principle

Representations

Objection received from the occupiers of 5A Middle Street:

The original planning decision kept the 2 storey part of the building entirely behind the pub wall. Moving this building approximately 1000 mil South means that I will have part of east elevation less than a metre from my garden wall. I am objecting on the following principles:
- previous decision not upheld

-I will be more overlooked so less privacy
- this will effectively extend the pub wall, I can't imagine that passing planning permission
I fully understand that the car park wall needs to be replaced but this should have happened before building commenced and of course by moving the building South will add value and saleability of this unit.

Relevant Planning Policies

Adur Local Plan 2017 policies 1, 2, 3, 15, 16, 17, 18, 20, 28
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

The principle of the development has been established through the earlier planning permissions. The only consideration here is whether the resiting of Unit 3 further south has an adverse impact on the character and appearance of the area or on the residential amenities of neighbouring occupiers.

Unit 3 is a part two storey/part single storey building. As originally approved the two storey part was completely located behind the tall rear wall of the Royal Sovereign Pub and would not have been in the direct line of sight when viewed from the rear of 5A Middle Street. As a result of the repositioning, part of the two storey element will now be visible from the rear of 5A. Measurements taken on site confirm that the two storey will project 0.4m in front of the rear boundary of 5A. This has resulted in an objection from the occupiers of that property.

The approved plans did screen the taller part of the building completely and there will be some impact on the occupiers of 5A now that was not there before. An assessment must be made as to the extent of harm caused by this change and whether it will cause an unacceptable loss of light or outlook.

There are no rear windows in this part of the building so it will not cause overlooking. 5A has a small rear garden in depth (5m) and width (4m). A two storey wall 0.4m wide will be visible which amounts to approximately 10% of the total width of the rear garden of 5A, leaving 90% with a largely unrestricted outlook. The single storey element of the dwelling will run behind the majority of the rear of 5A and part of No. 5. Previously there were garages at the rear which were taller than the existing boundary wall.

While there is some sympathy with the objection from the occupiers of 5A, it is not considered that, in planning terms, there are sufficient grounds to refuse the

application as it cannot be demonstrated that there would be a harmful loss of light or outlook arising from this repositioning.

Accordingly, it is recommended that the application is approved.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. The development shall be completed in accordance with the previously approved schedule of external materials and finishes including the use of Monarplan standing seam, silver grey colour, which shall include decorative rolls
4. No part of the development shall be first occupied until the car parking has been constructed in accordance with the previously approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
5. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the previously approved plans.
6. The development shall be carried out in accordance with the approved Construction Method Statement and it shall be adhered to throughout the construction period
7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E of Part 1 of the Schedule to that Order.
8. The previously approved drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.
9. The side windows and second floor windows in the rear elevations of Units 1 and 2 hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.
10. The first floor windows in the south side elevation of Unit 3 hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.
11. The rooflights on the west roofslope of Unit 3 shall at all times be obscure glazed and they shall have their cill level at least 1.7m above the finished floor level of the room in which they are located.

12. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the previously approved plans. There shall be no storage of bins on the road frontage other than on the days of waste collection.

Is recommendation contrary to letter(s) of representation Y

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.

Case Officer: Peter Barnett Date: 5 December 2022

Authorised by: Gary Peck Date: 6 December 2022