Development Management – Delegated Officer Report

Application Number: AWDM/0973/22 Recommendation: APPROVE

Site: 20 High Street, Shoreham-By-Sea, West Sussex

Proposal: Change of Use of first and second floors from retail and ancillary storage (Use Class E) to self contained flat (Use Class C3) (retaining retail at ground and basement levels). Enlarged rear dormer.

Date of Site Visit: 26th July 2022

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

The application site is a vacant building comprising a ground floor shop with basement and first and second floor ancillary space on Shoreham High Street. There is access to the rear to external, shared space and an alley which leads to Church Street. The site is within the Town Centre and Primary Shopping Area.

Consent is sought to change the use of the first and second floor to a self contained flat. The existing entrance will be used at ground floor from the street and this will lead to a private entrance to the flat with access up the stairs and a separate door to the ground floor shop, the basement will remain for ancillary commercial space for the ground floor unit. An existing rear dormer is to be enlarged.

Amended plans have been received to show access to the bedroom from the living space within an enclosed hallway, so the staircase isn't open into the kitchen/living space. This is to address concerns expressed below by Private Sector Housing.

Consultations

West Sussex County Council: The Highways Authority: -

No vehicular access is associated with this site. Pedestrian access will be achieved via an existing access on High Street. Considering the scale of the proposed development, the LHA does not anticipate that the proposals would give rise to a material intensification of movements to or from the site. No vehicular parking is proposed for this development, as per the existing arrangement. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require one parking space. Therefore, vehicular parking would have to be

accommodated on-street. Whilst on-street parking is limited in the immediate vicinity, 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 result in a detrimental highway safety impact, nor give rise to a parking capacity issue. The LPA is advised to consider the potential impacts on on-street parking from an amenity point of view. No details have been provided regarding cycle parking provision. Cycling is a viable option in the area and the LHA would like to see cycle parking being implemented if there is space within the site to do so. The applicant is requested to provide covered and lockable cycle parking for one cycle in accordance with WSCC Parking Standards. The site is situated in a sustainable location within walking/cycle distance of local services and amenities. The site is also well connected by public transport, with regular bus services available from Brighton Road. Shoreham-By-Sea Train Station is located approximately 450m northeast of the site. 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.

Adur and Worthing Councils: Environmental Health: - With reference to the above application I have concerns about internal and external noise negatively affecting the amenity of the proposed dwelling.

External noise
Defra noise maps indicate the proposed residential dwelling could be exposed to elevated road noise of up to 69.9dB LAeq during the daytime and up to 64.9dB Lnight. In addition to this there is likely to be external plant to the rear serving surrounding commercial units. I would recommend the following condition:

Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within ProPG: Planning & Noise – New Residential Development (2017), the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Internal noise
The ground floor retail unit would be a Planning Use Class E, this planning Use Class would allow a large range of potential uses to occupy the ground floor commercial unit without the need for planning approval. To protect residential amenity and help future proof these units we would recommend the following condition:

Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from noise from the commercial unit below has been submitted to and approved by the local planning authority.All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB) for all floors. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Air Quality
As this is an application within the Shoreham Air Quality Management Area, the applicant must follow the Air Quality & Emissions Mitigation Guidance for Sussex (2020) - http://www.sussex-air.net/ImprovingAQ/GuidancePlanning.aspx. The intention of the guidance is to ensure the integration of appropriate mitigation via an emissions mitigation assessment and, where necessary, to identify air quality impacts through an impact assessment. The emissions mitigation assessment is used to inform the level of mitigation required to help reduce/offset the potential effect on health and the local environment. Consultation with Public Health & Regulation is advised at an early stage."

The potential impact on the Shoreham AQMA's must be considered. The assessment should also include a cumulative impact assessment - a list of relevant developments that should be included in a cumulative assessment can be supplied.

We expect an emissions mitigation assessment to be completed, the purpose of which is to assess the local emissions from a development and determine the appropriate level of mitigation required to help reduce/offset the potential effect on health and the local environment. The emissions mitigation assessment must use the most up to date emission factors (available at http://laqm.defra.gov.uk/review-and-assessment/tools/emissions.html).

Mitigation shall include the promotion of cycling and walking, public transport, car clubs, low emission vehicles and associated infrastructure, etc. Reference should be had to the Adur/Worthing Air Quality Action Plan (available at https://www.adur-

worthing.gov.uk/environmental-health/pollution/air-quality-and-pollution/local-air-quality-management/#air-quality-action-plans).

Asbestos
The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property. As this is being renovated to residential, the Council need to be satisfied that if any asbestos is present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register - and any remedial strategy where appropriate – should be provided prior to works commencing.

Private Sector Housing: - Please could the following informative be placed on any planning permission that may be granted

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include ‘inner’ rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

In this case, the second floor bedroom is only accessed through the first floor high risk kitchen/lounge and so it is an inner room and a likely category 1 hazard for Fire under the Housing Act 2004.

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Comments following amended plans: - The amended plan shows a protected route from the second floor bedroom to the ground floor exit, and so removes the risk previously described/identified.

Subject to suitable detection, and care when fitting the actual kitchen to ensure there is no risk of the door colliding with someone using the hob etc, then is unlikely to be an actionable hazard and we would therefore have no objection on PSH grounds

Technical Services: - Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. We therefore have no objections to the proposals.

Surface water drainage- the application is for a change of use and includes no increase in impermeable area. Due to the scale and location of development we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations.

Adur District Conservation Area Group: - APPROVE

Southern Water: - Standard conditions and informatives

Representations: - None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 17, 20, 28, 34
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
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).
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers both adjacent to the site and the future occupiers of the proposed flat. The impact of the proposed works upon the character and appearance of the street scene and Conservation Area. Highway matters are also of consideration here.

Visual amenity and Impact upon the Character and Appearance of the Conservation Area

The proposed shopfront will remain unchanged. Internally there will be changes to allow the flat to be self contained. There are no changes proposed externally to the front elevation. To the rear the dormer is to be increased in width, lead clad to the rear and rendered to the side. This dormer will be visible to the rear and the side due to the low level of the building adjacent. However this is not considered to be significantly harmful in visual terms. The rendered side dormer cheek will assist to blend the dormer with the side elevation. The proposed windows in the dormer are

double glazed timber. Officers considered on balance that this dormer enlargement is acceptable in terms of its appearance as it facilitates the use of the second floor for a bedroom and therefore makes this proposal acceptable. Without it the bedroom space would be limited and unviable. On the basis that the unit is currently fully vacant and in need of repair and updating and as a whole is currently significantly detrimental to the Conservation Area, this can be supported. A door to the rear at ground floor is to be replaced by a window that will not be visible from the street and is not harmful.

Residential amenity

Current Occupiers

The site is between the Co op, a single storey building, and a similar two storey building with a matching front dormer. There are residential properties to the rear of the site accessed via the alley to the rear via Church Street. The proposed flat will have no adverse impact in this case. The applicant's agent has confirmed that the premises currently have right of access over the land to the rear of the site where there is bin storage and access. There are many windows and doors overlooking this space as existing, this communal area is not private amenity space. In this case there is bin storage provision as shown on the amended plans and cycle storage is to be provided to the rear of the shop accessed externally by the occupier of the flat. Access to this space from the flat is out of the front onto the High Street and around the side from Church Street. It is not considered that this increased activity will give rise to any disturbance to adjacent residents which would warrant a refusal in this case.

Future Occupiers

It is considered that the proposed flat provides adequate light, outlook and amenities for the future occupiers of the unit. The first floor living space benefits from a large bay with views overlooking the river. The second floor bedroom has an enlarged rear dormer providing space for the stairs and light and outlook. Refuse and cycle storage is provided. The site is within a sustainable location within walking distance to amenities, retail and public transport links.

The national internal space standards state that a 1 bed, single person , single storey dwelling should be 39 metres squared and that a 1 bed, two person, two storey dwelling should be 58 metres squared. In this case the space provided is 51.2 metres squared and would be considered to be a single person, two storey dwelling for which a standard is not provided. Taking into account the suitable use in this case being residential accommodation, the light and outlook which is provided and the open plan living with views and sleeping accommodation above it is considered that the space provision is acceptable. The building has been vacant since 2018 and this

use will provide needed good residential accommodation within this sustainable location with cycle and refuse storage. The visual impact of the building is currently harmful to the environment.

Environmental Health have recommended conditions relating to the impact of noise from the road and the commercial unit below and emissions mitigation. Assessment and details are required prior to commencement of works to protect the future occupiers of the site. The applicant's agent has agreed to the conditions.

Highway Matters

No parking is provided for the proposed flat and this is acceptable due to the town centre's sustainable location. Secure cycle parking is provided for the occupier of the flat. This is acceptable to the Highway Authority.

Fire Safety
Amended plans have been received to show a separate kitchen, this allows for a safe means of escape from the first floor bedroom. Private Sector Housing have no concerns with this plan as amended.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Scheme for protecting against noise
4. Noise from commercial unit below.
5. Emissions mitigation
6. Materials to include timber windows and lead clad dormer with rendered dormer cheek.
7. Hours of work
8. Refuse and cycle storage

Is recommendation contrary to letter(s) of representation N

1. Proactive with revisions
2. Southern water sewer connection
3. Southern water sewer may be on site.
4. Asbestos
5. Housing Act 2004

Case Officer: Hannah Barker Date: 29th July 2024

Authorised by: Peter Barnett Date: 29 July 2024