expires 18.11.09

Development Control – Delegated Officer Report

Application Number: ADC/0367/09 Recommendation - Permit

Site: **31 - 32 East Street Shoreham-by-Sea West Sussex BN43 5ZD**

Proposal: **Demolition of existing rear projection and construction of attached two-storey ridge-roofed building containing 2 one-bedroom flats (with firstfloor rear balcony)**

The Application

The application relates to the rear of No.32 East Street, a building with two retail units at ground floor level fronting onto the St. Mary de Haura churchyard, within the middle of the Conservation Area.

To the rear of the building is a flat roof two-storey extension which serves as storage for the ground floor shops, access and floor space to the upper unit. Above the shop is a vacant office which appears to have been a former dentists, where permission was granted for change of use to a first-floor two-bedroom flat SU/111/03, however this appears to have been unimplemented.

To the rear is a walled garden area currently used for storage by the retail element of the building, currently a florists and greengrocers.

Permission is sought to demolish the existing rear projection and erect a two-storey extension that would serves as two-self-contained one-bedroom flats. The proposals have been amended in scale and now would be 7.4m wide (the whole width of the site), by 9.3m deep, by 7.1m in height to the apex of the roof. The proposed ground floor flat would have use of the existing rear garden, whilst the first floor flat would be inset to allow for a 1.9m deep balcony.

The site is located within a long terrace of buildings which are generally arranged with A1 and A2 uses at ground floor level and a mixture of residential and B1 uses above. The adjacent building to the north (No.33) is occupied at ground floor level by a retail outlet (Vits and Pieces), with a Holistic Wellness Therapy Room above, the rear of the building is extended with a two-storey rear extension which has no windows in the southern elevation. To the south at ground floor level is a hairdresser (The Hair and Nail Lounge), with a residential flat above (No's 30, 30A), which is currently vacant. Permission has been granted for No.30A to itself be extended by both a two-storey extension (ADC/0393/07) and a single-storey extension with roof terrace above (ADC/0354/08).

Site History:
SU/163/03 – Single-storey detached office building at rear. Approved.

ADC/0391/08 – Single-storey detached office building at rear. Approved.

Consultations and Representations

West Sussex County Council: The Highways Officer has no significant concerns, as there are no changes to any access arrangements at the property. A nil car parking provision is proposed for the flats, and under the WSCC Car Parking Standards a maximum of two spaces may be permitted. Consequently as the maximum is not exceeded no concerns would be raised. Whilst on-street car parking is limited in the immediate vicinity, they would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision. The Planning Authority may wish to consider the potential impacts of this on on-street parking. Cycle parking has been provided in accordance with WSCC minimum standards, and this must be subject to a condition requiring the provision to be secure, covered and capable of storing one cycle per bedroom of the flats. No TAD contribution is requested.

The Conservation Architect states that the principle of the rear extension is acceptable. However he is concerned about the depth of the proposed development and that the footprint is excessive and appears overbearing to the adjoining building.

Adur District Council: The Recycling and Waste Management Manager has assessed the application with regards to the access to the site, and the storage area for bins and recycling, and has no objections.

The Environmental Health Officer has no objections in principal, however there are some concerns regarding the logistics of demolition and construction, and how waste material will be taken from the site and how materials will be delivered. He recommends that any planning approval should be subject to a condition which would prevent these issues from having an adverse effect on highway or the surrounding residences and businesses.

The Shoreham Society: States that an internal bathroom should replace the storeroom on the 1st floor (of the existing flat above the shops) to enable an outlook for the kitchen of the passage, and that a hipped roof would look better. They do raise concern that there is no parking for the flats.

Adur District Conservation Advisory Group: Suggest the balcony should have a privacy screen, otherwise we have no objection.

Third Parties: There have been no third party objections to the proposals.

Relevant Planning Policies and Guidance

South East Plan (GOSE 2009) SCT1 – 2, SCT5.

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB4, AH2 and Appendix II 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 ' Space Around New dwellings and Flats'.
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPS6 'Planning for Town Centres' (ODPM 2005)

Planning Assessment

Policies
The site is in the heart of the town centre and Conservation Area and lies partially opposite the Grade I listed church of St Mary de Haura. There is a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas as reflected in policy AB4. Local Plan policy AB3 states that permission will not be granted for development generating a level of traffic or other activity likely to adversely affect the character of a Conservation Area.

Regional Guidance in the South East Plan primarily focuses on sub-regional regeneration by means of taking care to use previously developed land for sustainable housing, ensuring sufficient green infra-structure is delivered alongside new development (SCT1), and by meeting regional housing targets by focusing development within existing towns (SCT 4).

In the Local Plan, the site is included within the area identified for mainly shopping use under policy AS1 which states that permission will be granted for the development of land within the areas shown as subject to this policy (for retail and food and drink purposes) provided that there will be no loss of residential accommodation at upper floor level. Whilst the proposals do not include any additional retail uses an improvement to the ground floor storage area available and the retention of a staff w.c. is proposed, and in principle the proposals are not contrary to policy AS1.

The relevant Local Plan policy AH2, related to housing development by way of infilling and redevelopment, expects development to be designed so that its appearance, character and scale create a pleasant place in which to live, is in keeping with and enhances the existing local environment with particular attention to the architectural form, height, materials, density and layout; respect for the natural features of the site, including trees, no unneighbourly effect on existing dwellings by loss of privacy, light, outlook or open amenity space; adequate access and parking arrangements and accordance with adopted standards (in this case the Council's DC Standard No. 2 'Space Around New Dwellings and Flats' 1996.)

Government policy in PPS3, in order to achieve a wide choice of high quality homes, improve affordability and create sustainable, inclusive, mixed communities, generally encourages the maximisation of the use of previously developed land for housing development at higher densities (avoiding

developments at less than 30 dwellings per hectare) and without rigid application of parking and amenity space standards. However, it is also states that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted" (para 13).

Visual amenity – Affect on Conservation Area

The building itself (No's 31 & 32) sits, alongside No. 30 to the south, slightly forward of the rest of the street to the north and south. Additionally the roof plane and ridge are at a lower level, which indicates that the three buildings must have been built at a different time to the surrounding development. As a consequence the rear of the building has a lower eaves level than that of the adjacent buildings, and currently the first floor windows (at the rear) are located half-and-half between this eaves level, either side of the existing flat-roofed projection.

The original plans proposed to have a gable ended extension which would have had an eaves level significantly higher than the original level, and with a shallower angle to the roof. It was considered that although this would be an improvement to what currently exists, it would still have resulted in an unsympathetic addition to the building contrary to policy AB4 of the Local Plan.

The applicant's agent has amended the design of the scheme and now the eaves level is maintained across the original building and the proposed flats. As a result the angle of the roof has increase and it is considered that the proposals now relate to the existing building in a far more sympathetic manner.

The rear of the building is not visible from the wider streetscene, however due to public access currently being provided to the variety of market uses within Tarmount Studios to the east, members of the public would be able to see the proposals when the Studio site was open for business. Consequently the proposed rear privacy screens which were deemed incongruous have been removed from the proposals and a open fronted gable is now proposed which would be far more in keeping with the rest of the dwelling and would appear a more integrated part of the design.

The surrounding buildings which front East Street are of similar age and design. Despite this there are many different styles of rear projections, some of which are much greater in footprint size than proposed hear. It is not considered that the footprint size is excessive in terms of the town centre location, and it would not appear unduly cramped or out of character for the rear of such buildings. It is therefore considered that the proposed amendments to the scheme would preserve and enhance the character of the Conservation Area and now comply with policy AB4 of the Local Plan.

Residential amenity – Proposed flats

The Councils adopted standard No.3 entitled 'Space Around New Dwellings and Flats' does not have specific reference to internal room sizes for one bedroom flats, but just states that an outdoor amenity space of 20sqm should be provided. In town centre locations such as this it is usual for there to be no external space at all. In this case the ground floor flat would have the remainder of the existing garden as a private garden of 44sqm, whilst the upper flat would have a balcony of 12.75sqm, which although the minimum set out in the guidance is considered acceptable for this location.

The lower and upper flats that are proposed would be 49sqm and 39sqm respectively, and although the first floor flat is considered a little small the amended design would enable the outdoor space to have more use than a traditionally open balcony, and it is therefore considered that it would provide an acceptable standard of accommodation. The internal arrangement of the flats would be such that living rooms and bedrooms would be directly above each other, which would prevent there being any future stacking issues with regards to noise disturbance.

Directly to the rear is the Tarmount Studios series of buildings which have an open courtyard to the rear directly to the east of where the proposals would be sited. The rear of the buildings in East Street and Tarmount Lane all have a number of windows at first floor level, many of which provide outlook for residential accommodation. It is not considered that the proposed flats would have a particularly low level of privacy due to overlooking.

Residential amenity – Surrounding dwellings

The proposed extension would project 9.3m from the rear wall of the original building, some 5.5m beyond the rear of the existing. To the south the rear projection of the attached No.30A is 6.5m with a further 1m deep balcony serving the upper flat. The proposals would project 3.2m to the east of the upper flat (main rear wall), and given that it would be located to the north it is not considered that this would lead to a loss of outlook of sunlight to the rear door and kitchen window. The ground floor is occupied by a hairdressers and there would be no impact on the commercial aspect of this use.

Directly to the north is the long two-storey flank wall of the rear projection of No's 33/33A. The upper floor is occupied by a holistic treatment room and there would be no impact on this use. Further to the north at the rear of No.34 are three flats with south facing windows at first floor. The proposed balcony would be 9m from these windows, however due to the extended gable there is unlikely to be any loss of privacy due to overlooking as no direct view would exist.

Access and Parking

The proposals do not exceed the West Sussex County Council maximum standards, and provision has been made to the rear of the existing garden for cycling storage and storage of recycling and waste. The site is in a very sustainable location, close to all town centre amenities, bus and rail services.

It is not considered that the proposals would have a detrimental impact on on-street parking as a result of their occupation.

The applicants agent has stated that area within the pedestrian footpath would be allocated for the storage of a skip for the demolition and building waste, whilst all delivered materials would be off loaded by hand and taken to the rear of the site for storage before 9.30 am. A planning condition is proposed to ensure space is allocated and that building work is kept to within reasonable hours.

Recommendation

APPROVE for reason that :-

The proposed development is within the built-up area and would help meet the need for additional housing and retail provision without detracting from the local environment. It would enhance the setting of the adjacent listed building and the appearance of the Conservation Area. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB4, AH2)

Subject to:-

1. C1Ci
2. C8Gii (amended)
   ...access and parking of cycles has been made....etc
3. C9N (amended)
   ....within the site or a specified approved section of highway...etc
   ....provision for contractors buildings, plant, stacks of materials, and skip storage and such provision...etc
4. C10B (amended)
   No working whatsoever relating to the construction of the building hereby approved shall take place on the premises except between the hours of etc. **Reason:** AG1 of the ADLP
5. C14Aii – 17.11.09 (AB4 of the ADLP)
6. C12Ei

Case Officer: [redacted]
Date: 17/11/09