Development Management – Delegated Officer Report

Application Number: AWDM/1361/16 **Recommendation: APPROVE**

Site: Former 378-380 Brighton Road, Shoreham-By-Sea

Proposal: Change of Use from one A1 shop to 2 separate units. Unit 378 to house Mortgage office (A2), Unit 380 (A1 or A2). Single-storey rear extension, air condensing unit to rear and new shop fronts including associated works. (Resubmission of AWDM/0453/16).

Date of Site Visit: 2 September (immediately prior to the submission of the application)

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application property is a two-storey mid-terraced single ground floor commercial unit with accommodation in the roof. The upper floors are put over to self-contained residential flats above.

The application is to subdivide the existing premises into 2 commercial units (A1/A2 planning use) with single storey rear extension to unit 378 and new shop frontages and installation of A/C unit (the full details are shown on the submitted drawings).

The surrounding area is of a mixed residential/commercial character, to the east of Shoreham town centre on the busy coastal road (A259).

Planning History

Change of Use from one A1 shop to 2 separate units. Unit 378 to house Mortgage office (A2), Unit 380 (A1 or A2). Single storey rear extension and new shops fronts including associated works (AWDM/0453/16) granted permission earlier this year. The decision notice included a contamination condition requiring a preliminary assessment and site investigation to be undertaken.

Consultations

Environmental Health raises no objection but request that the full contamination condition is imposed.

Representations

None received



Relevant Planning Policies:

Adur District Local Plan (saved): AG1, AH7
National Planning Policy Framework

Planning Assessment

The principle of development has been established by the previous permission and indeed works have progressed to accommodate the mortgage company in number 378 Brighton Road. The works to the frontage of the site can be seen as positive given that the units were unoccupied for some time and the location of the business within the town can clearly be supported by policy.

The main reason for the current application is that the applicant objected to the imposition of the full contamination condition which primarily relates to the proposed construction of a single storey extension to the rear which is slightly large than an existing extension to the rear which can be considered of sub-standard design. Certainly, there is no objection in visual or impact terms to the construction of this extension, but the applicant has pointed out that the required surveys, for a risk that was identified as low, would cost well into 5 figures.

The applicant therefore requested that this matter was reconsidered, a request that was echoed by the Cabinet Member.

At the site visit, it was noticed that a trench for service purposes had already been dug across the rear part of the site and consultation with Legal Services has confirmed that such a condition is difficult to enforce. In any case, the planning system should not duplicate other legislation.

Rather than a full condition, it is considered that the precautionary informative would be sufficient in this instance.

The only other alteration compared to the previous permission, is the installation of an air conditioning unit. There has been no comment raised from the Environmental Health section in respect of this element of the proposal.

Recommendation

APPROVE subject to the following conditions:

1. Plans List
2. Standard Time Limit
3. Materials

Precautionary contamination informative

Is recommendation contrary to letter(s) of representation? N

Case Officer: [redacted] Date: 11/10/2016
Authorised by: [redacted] Date: 12/10/2016