Development Control – Delegated Officer Report

Application Number: AWDM/1259/16 **Recommendation APPROVE**

Site: **6 Underdown Road, Southwick, Brighton BN42 4HL**

Proposal: **Demolition of existing detached garage in rear garden and erection of detached outbuilding to be used as commercial office (Use Class B1) with two parking spaces**

Date of site visit: 29.03.2016

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application site relates to land behind the existing property no. 6 Underdown Road. no. 6 is a 2 storey, with a basement, semi-detached property currently in a commercial use. The basement appears unoccupied. The basement lies in much lower land than the drive to the side on the property. There is a prefabricated double garage in quite poor condition positioned behind no. 6 and also a prefabricated storage building. Between these 2 no. structures is an existing parking area for up to 2no. cars. There is also a parking space outside of the ground floor commercial use to the front of no. 6.

There is a recently built 2 storey residential property constructed on the south side of the access drive (no. 4 Underdown Road) fronting Underdown Road. Behind and to the side of no. 4 is 'Cross Road Rest Garden' an area of POS which contains trees, grass and seating areas.

The drive leads to the aforementioned prefabricated structures, then continues downwards to 'Clifton Lodge', a more recent development comprising 4no. residential units. Clifton Lodge is on much lower land than the street and properties at the front.

There is a Silver Birch tree positioned very close to the rear boundary behind the existing pre-fabricated garage on the property of 'Clifton Lodge'. There are other trees on the side boundary of the new residential dwelling abutting the drive.

Proposal

Planning permission is sought to demolish the prefabricated double garage and construct a single storey building with stock brick elevations and an A-symmetrical roof of natural slate in its stead. The new building will be used as a self-contained office. It will measure approx. 5.2m x 7m x 4.5m high.

It will be located approx. 1.1m at its nearest point and 1.5m at is widest point from its rear boundary with 'Clifton Lodge', and approx. 300mm from the boundary with no. 8 Underdown Road.

Consultations:

Southern Water:

Formal application for any new connection to the public fould sewer to be made by the applicant or developer. Also an investigation of the sewer will be required to ascertain its condition etc. Informatives to be applied to any permission.

Environmental Health
Potentially Contaminated Land – full condition if approved.

Adur and Worthing Council's Engineer:

"The area is very wet in winter with adjacent properties and gardens flooded. If approved it should remain as office only and no opportunity to go to residential.
Applicant needs to prove that all surface water runoff can be dealt with without adding to the problems experienced at Clifton Court.
The soakaway issue is important; they must prove that the new hard areas can be drained so I suggest that the parking areas are either shingle or permeable block work. Also apply suggested condition regarding surface and foul drainage."

WSCC: The Highway Authority comments:-

'From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto Underdown Road.

The addition of a small office unit at this location should not generate a severe detriment to Highway users, and therefore accords with paragraph 32 of the NPPF.'

Representations:

1 representation has been received from an occupier of Clifton Lodge as follows:-

- The developer should not damage the Silver Birch tree on the border of the site
- Should make sure that the access to Clifton Lodge is available at all times
- Site should be kept tidy
- Care is needed regarding sewerage drainage as Clifton Lodge has to pump its sewage up to the main drains.

Relevant Planning Policies

Submission Adur Local Plan 2016: P2, P4, P15
Saved Local Plan policies (ADC 1996): AG1, AE15, AH7
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

There is no objection in principle to the proposed development to replace the existing run down pre-fabricated garage to a purpose built commercial office building. The key concerns are the effects on the residential and visual amenities of the locality, together with its effect on the existing ground water drainage issue.

Visual Amenity

The existing pre-fabricated garage building looks in a poor state of repair, and its replacement may be of benefit to the visual amenities of the area. The existing car parking area will not be lost, nor will the existing pre-fabricated storage building.

The site is indicated as being within potentially contaminated land and at the time of site visit, the neighbour advised me of the flooding problems that have been going on in the area specifically to low lying land. Indeed the Councils Engineers has raised an alert for the same reason.

As a commercial use, the new building would be acceptable, but due to the ground water flooding issues, it will not be acceptable for the building to be used for residential purposes. Thereby, should the application be approved, it is vital that a condition be applied preventing any residential use coming forward at any time in the future. This is considered an acceptable requirement in order to prevent health and safety issues to future residential occupants, doubly important considering that the use class legislation allows for a change from B1(a) to residential, but this would need Prior Approval and would be subject to there being no flooding, contamination etc.

The potential contamination of the site could also be covered by a condition.

The hours of use for the office are indicated on the forms to be 0800 – 1700 Monday to Friday, and 0800 to 1300 on a Saturday. These hours are not considered to result in an adverse effect on the existing residential amenities of the neighbouring residential properties including ‘Clifton Lodge’ and therefore the change of use from the existing double garage to a B1(a) office use is considered to be acceptable.

The office will be located wholly at the rear and would be viewed by those within Clifton Lodge, but is not considered to have any detrimental visual impact on those properties. It would be viewed obliquely from the new dwelling 4 Underdown Road, and again, it is not considered that the building would have a detrimental impact on that property. As the building is located behind no. 6, it would have no impact on the street-scene.

Residential Amenity

The office building and its specific use/hours of operation are considered not to have any adverse amenity impacts for neighbours.

Recommendation

APPROVE subject to the following conditions

1. Plans
2. Standard time limit
3. Agree materials
4. Demolition of existing garage
5. No PD for change of use
6. Permeable hard surface for car parking area
7. Surface and foul drainage
8. Contamination
9. Hours of use
10. No scaffold storage to take place whatsoever on the land.
11. Only storage relating to the B1 (a) office use shall take place within the store and or bicycle store

Informative

1. Approved without amendment.
2. Connection to public foul sewerage
3. Sewer maybe on site

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

Case Officer: Eve Hearsey Date: 26.10.2016

Authorised by: Jo Morin Date: 01.11.2016