Development Management - Delegated Officer Report

Application Number: AWDM/0099/23 **Recommendation – Approve**

Site: 144 Albion Street, Southwick

Proposal: Demolition of existing building and construction of new three storey building comprising a ground floor commercial unit with four flats (2no. 1 bed and 2no. 2 bed) above with 2nd floor balcony on the south elevation; 2 no. car parking spaces and 8no. cycle spaces. Resubmission of approved application AWDM/2289/21 to amend internal layout and provide two new additional balconies on the 1st floor rear (South) elevation.

Date of site visit: Seen previously

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a vacant part two storey/part single storey building within the Riverside Conservation Area, fronting the A259 Albion Street. It was formerly in use as a tyre fitters and repair garage (Arrow Tyres) but the use ceased in June 2021.

The car park to the Old Town Hall is immediately to the west and there is a current application for the construction of a three storey office building on that site which is reported elsewhere on this agenda (AWDM/1633/21). Directly to the south, on lower ground, is the Grade II listed Sussex Yacht Club building. Further south west is Malthouse Cottage, a residential property. The former Schooner pub sits to the east.

Permission has been granted to demolish the existing building and to construct a three storey building. It will have a commercial Class E unit of 50sqm on the ground floor, together with a parking area for two vehicles, cycle and bin store. On the upper floors 4no. flats are proposed (2 x 2 bed flats on the first floor, 2 x 1 bed flats on the second floor). The building will be accessed from its east side, via a forecourt between the site and the Schooner.

It will have four pitched roof gables at the front with a hipped roof at the rear containing four small lead clad dormers. A small 2nd floor balcony is proposed for one of the flats. Three of the front four gables will project from the building slightly and will have a painted render finish, with facing brickwork on the other non-projecting gable. Tiles or a natural slate roof is proposed. There will be a central section of flat roof, hidden by the slope of the roof, where rooftop PV panels are proposed. The building will have a ridge height of 8.9m.

This application seeks to amend the scheme as follows:

- Addition of 2 no. balconies at first floor level on south (rear) elevation to serve units 1 and 2

- Changes to the internal layout of flat 4 on the second floor
- Rearrangement of recycling area at ground floor level to extend commercial unit by 5sqm.
- Replacement of solid double doors on ground floor of rear elevation which previously served the recycling area, with a single solid door and single glazed door to serve the cycle store and office respectively

Relevant Planning History

SW/59/87 - Application For Conservation Area Consent For The Demolition Of Existing Tyre Services Premises (To Facilitate Redevelopment With 9 Flats & Offices) - application withdrawn

AWDM/1633/21 - Erection of a new three storey office building, with ground floor parking under (on the adjacent site, the former Town Hall car park) – approved

AWDM/2289/21- Demolition of existing building and construction of new three storey building comprising a ground floor commercial unit with four flats (2no. 1 bed and 2no. 2 bed) above with 2nd floor balcony on the south elevation; 2 no. car parking spaces and 8no. cycle spaces - approved

Consultations

West Sussex County Council: The **Highways Authority**: From inspection of the plans, the plans appear similar with minor alterations to the floor layouts and addition of balconies. The LHA raises no concerns to the proposed changes, and the LPA are advised to refer to the LHAs consultation responses for application AWDM/2289/21 for relevant comments pertaining to access, parking and sustainability, which remain valid.

West Sussex Fire and Rescue: There is suitable access to the new build property for a fire appliance and the supply of water for firefighting provided with a fire hydrant only 35m away, therefore the B5 requirements of AD-B Volume 1 have been met. No further conditions are required.

Adur and Worthing Councils: Public Health: No objection.

Private Sector Housing: There is unsympathetic stacking between the first and second floor, with recreational areas above/below sleeping areas which increases the risk of neighbour disturbance

Technical Services: No comments received. Previously confirmed they were happy with the surface water proposals

Southern Water: In determining the application, we ask that the Planning Authority take into account the provisions of Paragraphs 180, 182 and 183 of the National Planning Policy Framework (NPPF) regarding the proposed location of development in relation to existing uses that may be a source of pollution (in terms of odour). We apply a precautionary buffer zone for any development located within 500 metres of the boundary of a WWTW. The proposed development is located approximately 250

metres from the Shoreham Wastewater Treatment Works, and as such we have applied this requirement to our planning consultation response. Due to the potential odour nuisance from a Wastewater Treatment Works, no sensitive development should be located within the 1.5 OdU odour contour of the WWTW. An Odour Assessment will need to be carried out by a specialist consultant employed by the developer to a specification that will need to be agreed in advance with Southern Water to identify and agree the 1.5 OdU contour

Recommends condition: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

ADCAG: Approve

Shoreham Port Authority: No comments received but previously raised concerns regarding foul and surface water drainage and noise from port operations

Representations

1 objection received from the occupier of Riverside Yard

- We are in a conservation area.
- There is no accessibility for demolition machines and other machinery.
- It would mean road closures.
- Also behind the property on my boundary the fence has to be maintained, otherwise people can climb through and steal the lead off the roof.
- This development is much too big for this space and would cause more traffic on what is already a busy road.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 3, 4,15, 17, 18, 19, 20, 22, 28, 34, 35, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Southwick Conservation Area Character Appraisal & Management Strategy (ADC 2009)
Shoreham Harbour Joint Area Action Plan 2019
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)

Planning Assessment

Principle

The site is not allocated for any particular use in the Adur Local Plan. The site falls within the Shoreham Harbour Regeneration Area (Character Area 5) and is subject to policies in the Joint Area Action Plan (JAAP), particularly CA5, which designates

Southwick Waterfront as an area for new mixed use development. There is support for the redevelopment of sites within the area to deliver high quality, modern employment floorspace. Other policies in the JAAP require energy efficient and sustainable development (SH1), sustainable travel (SH5) and an enhancement of green infrastructure by providing a green corridor along the A259 (SH7).

Policy SH9 relates to place making and design quality. High standards of architectural design and detailing is required, as is a suitable scale and massing in relation to local context.

It is considered that the redevelopment of the site for mixed commercial and residential development would comply with the aims of the JAAP and is acceptable in principle.

Visual amenity and heritage impact

One of the main considerations is the visual impact of the proposal upon the Conservation Area, listed yacht club and other surrounding buildings. The Southwick Conservation Area Appraisal states that:

"*The 'Riverside' part of the conservation area is located adjacent to Albion Street which is the main road for this part of the south coast. The quality of this environment is relatively poor due to the busy traffic and large gaps in the development.*
Recommendations:
• *Support the sympathetic redevelopment of the two existing gaps in the development*"

While not currently a gap site, the existing building, with its single storey wing on the east side, does not particularly enhance the area and it is not included in the list of notable buildings which make a positive contribution to the Conservation Area. While the comments of ADCAG and the Southwick Society are noted with regard to the history of the building it is considered that its redevelopment is acceptable provided the replacement building is seen to enhance the area.

The building will be 9.1m tall and 20m wide, leaving a gap of 1.5m to the proposed development on the adjacent Old Town Hall car park to the west. To the east, the rear of 1 and 2 Catts Mews on the lower ground fronting the canal basin is visible, set back from the A259, with parking spaces related to the former Schooner pub in front. The listed yacht club building is not readily visible currently from the A259 and the proposed development will have a neutral impact in views of that building from the A259.

It is considered that the scale of the building is sympathetic to its setting and, when viewed alongside the proposed development on the Town Hall car park, the pair of buildings form a cohesive whole, with similar design styles, colour scheme and scale, thereby enhancing views of the Conservation Area from the A259.

The scale and design of the building was amended during the course of the previous application to reduce its ridge height and simplify its form so that it does not compete with the listed yacht club building to the south and is no taller than the approved building on the site immediately to the west (former Town Hall car park).

When viewed from the south, from the lower ground at Riverside and from across the

basin, the building will appear in scale with neighbouring buildings on the higher ground behind. It will be very visible above the roof of the listed yacht club building but it should be noted that the existing Arrow Tyres building is also currently visible above the roof of the listed building. The simplified roof form helps to reduce any competition with the sawtooth roof of the yacht club.

The addition of the two glazed balconies at first floor is not considered to have a significant impact on the overall design or its relationship with the listed building to the south as they will be light structures, with clear glass and a thin structural deck.

The new building will not have a harmful impact on the setting of the yacht club as views of the yacht club building will remain unrestricted as it sits on lower ground in front of the proposed building.

Residential amenity - for proposed dwellings

The proposed flats are shown as having a floor area of 44 and 47 sqm for the 1 bed flats and 61 and 66 sqm for the 2 bed flats. These areas meet the nationally described space standards for 1 person 1 bed flats and 3 person 2 bed flats.

Noise from road traffic is a concern, as is possible disturbance from the yacht club which is licensed to sell alcohol and have live and recorded music. Noise from the port may also cause disturbance. A Noise Impact Assessment was submitted with the previous application but was found to have not considered all of these potential noise sources and an amended assessment was subsequently submitted.

The report recommends that attenuation is provided for both the north and south sides of the building through the use of acoustic glazing and mechanical ventilation (MVHR). The EHO was satisfied with those findings and has no objection to the updated report, subject to re-imposing the original conditions to secure the necessary attenuation measures.

No external amenity space is provided (other than the small south-facing balconies for some of the flats). The site has limited space around it making the provision of a garden unrealistic. However, the site is in close proximity to the beach (accessible over the lock gates close by to the west) and Southwick Green so there are opportunities to enjoy open space close to the development. New development on a tight urban site does always provide opportunities to comply with external amenity standards and it is considered that, overall, the development will result in an acceptable standard of amenity for future residents.

Residential amenity - effect on existing dwellings

There are no existing or proposed residential dwellings immediately adjoining the site to the east and west. The Schooner pub has recently been granted permission for conversion to a single dwelling (AWDM/1327/21), but is 18m to the east and is not adversely affected by this proposal. To the south east, dwellings at Catts Mews sit on the lower level and there are rooflights on the rear roofslope. There are no proposed openings on the east elevation, other than a high level rooflight. The proposed balconies at the rear will have an oblique angle of view towards the rooflights at Catts

Mews and it is considered that they will not cause a harmful loss of privacy.

The yacht club is a non residential use and the other nearest dwelling is Malthouse Cottage to the south west. No balcony is proposed for the end gable furthest to the west and the only opening on the west elevation are two high level rooflights. Malthouse Cottage is considered to be sufficiently distant therefore to not be adversely affected by this proposal.

Accessibility and parking

Two undercroft parking spaces with EV charging are shown on the ground floor plus eight cycle spaces. Vehicles will access the site as existing from the east across a forecourt and the parking spaces are for the commercial unit only, with no car parking for the flats. The owners of The Schooner claim that the applicants do not have a right of access across the forecourt which is in their ownership. The applicants have provided evidence which suggests that they do in fact have a right of access. This is ultimately a private matter and does not affect consideration of the current application. Should access not be achievable as shown then a revised application will be required.

There is limited parking capacity on local streets and WSCC Highways has advised that while there is no highway objection to the potential shortfall of 6 spaces, the amenity impacts of this shortfall on street parking should be considered. The site is in a very sustainable location, being very close to the Southwick Railway Station and bus stops on the A259. Given its location and the opportunity for alternative travel means, it is not anticipated that any overspill parking will have an effect that can be defined as unacceptable or severe and it is not considered that a reason for refusal on this ground can be sustained. As with the development on the car park site to the west, details of measures to discourage parking from taking place on the pavement should be required by condition.

The building will not be any closer to the highway than the existing building, thereby retaining the existing pavement width. While it is narrow, no concerns have been expressed by WSCC Highways on safety grounds.

The development will re-use the existing vehicular access onto Albion Street and there are no highway safety concerns with this arrangement. The proposed A259 cycle route will run past the front of the site but WSCC has confirmed that there is no requirement for any additional land beyond the highway boundary to be set aside for the cycle scheme at this point as the proposed route will involve realignment of the carriageway to the north instead. The proposal is therefore considered to be acceptable in highway safety, access and parking terms.

Flood risk and drainage

A new surface water drainage system is to be installed, depositing run off into the harbour basin. Foul water will drain via the existing public foul sewer in Riverside.

The Council's Engineer was previously satisfied with the proposals which remain unchanged in this latest application.

Sustainability

An Energy and Sustainability Strategy was submitted. It set out a number of energy efficiency measures that were proposed, including use of an air source heat pump for the flats, solar PV panels on the roof and water efficient methods to reduce total water consumption per person per day to below 100L. Provision should be made for connection to a future District Heating Network and this can be required by condition.

Overall, CO2 reduction is around 54% for residential areas and 17% for commercial areas and the development is considered to be sufficiently sustainable.

Contaminated land

The previous use of this site as a tyre fitters and repair garage is considered to be potentially contaminative activity and a contaminated land condition is recommended.

Other Issues

Southern Water's comments relating to odour from the nearby wastewater treatment plant are noted. However, in light of the new flats approved at the Old Town Hall site and the residential use approved at the Schooner recently it is considered unreasonable to resist this application on this ground.

Recommendation

Approve

Subject to conditions:-

1. Approved Plans
2. Standard time limit
3. Contaminated Land
4. External materials to be approved
5. Construction Management Plan to include control over hours of construction
6. Surface water drainage scheme to be submitted and approved prior to commencement
7. Class E (g) (i) use only for commercial unit and no other purpose
8. Car and cycle parking to be provided with EV charging spaces and include measures to prevent parking on the pavement
9. Development to accord with Energy and Sustainability Strategy with details of solar panels and location of air source heat pumps to be submitted and approved
10. Provision shall be made for connection to a future District Heating Network, in accordance with details to be provided and approved by the Local Planning Authority.
11. Recommendations of noise assessment to be fully implemented with details of glazing and MVHR system to be submitted and approved

Is recommendation contrary to letter(s) of representation Y

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 28 March 2023

Authorised by: Gary Peck Date: 29 March 2023