Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/1233/17

Site: **4 Broad Reach, Shoreham-By-Sea**

Proposal: **Change of use of ground floor workroom to living room.**

Date of site visit: 31 August 2017

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is within the Ropetackle development granted planning permission in 2003 (SU/216/02). It was originally designated as a live/work unit, along with 9 other properties in the vicinity. The property has three floors with (as approved originally) a garage and work area on the ground floor and living accommodation on the upper floors.

This application seeks permission for a change of the property to a solely residential use.

Relevant site history

The property is restricted by virtue of Condition 35 of SU/216/02.

> "The accommodation within the 'live-work units' denoted on the plans as work areas or offices shall be used solely for purposes within Use Class B1 'business' of the Town and Country Planning (Use Classes) Order 1987 and the associated residential accommodation shall be occupied solely by persons (including their dependents) working on the same premises.
>
> Reason: In the interests of residential amenity and to maintain a 'mixed' use development in accordance with the requirements of the Planning Brief and policies AG1 of the Adur District Local Plan and G1 of the West Sussex Structure Plan."

AWDM/0855/13 – 6 Broad Reach - Change of use from live/work unit to dwelling only (retrospective).

ADC/0259/09 – 10 Broad Reach – application for a Certificate of Lawfulness granted for use of live/work unit as a dwellinghouse

AWDM/0425/12 – 8 Broad Reach – Permission granted for change of use from a live-work unit to a single dwellinghouse (retrospective)

AWDM/0790/12 – 9 Broad Reach – Permission granted for change of use from a live-work unit to a single dwellinghouse (retrospective)

AWDM/0515/13 – 5 Broad Reach - Application for a Certificate of Lawfulness granted for existing use of former live/work unit as a single dwelling.

AWDM/0799/15 – 1 Broad Reach - Change of use from live/work unit to single residential dwelling (Use Class C3) – approved

AWDM/1315/15 – 3 Broad Reach - Change of Use from office (B1) to residential (C3) - approved

Consultations

West Sussex County Council: The **Highway** Officer has no highway safety or capacity concerns. Broad Reach is a private road not maintained at the public's expense. The proposed change of use from workroom to living room is not anticipated to affect the existing access and parking arrangements.

Adur and Worthing Councils: The **Environmental Health** Officer has no objections.

Representations

None received

Relevant Planning Policies

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH7
Submission Adur Local Plan (2016) policies 1, 15
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The original consent for the Ropetackle development envisaged a mixed use development of residential, retail, office and community facility. The live/work units formed part of that vision of a mixed use development and the loss of one unit would conflict with the original aims of the development. However, the restriction of a property to a live/work use is considered to be quite prohibitive and impractical and previous decisions have accepted the loss of these units. Its loss as a formal live/work unit would not prevent a future occupier from working from home.

A previous application for No.8 in 2012 AWDM/0425/12 was supported by a Planning Statement which highlighted the lack of parking and delivery space for commercial premises and the close proximity of residential properties to the live/work

units. The buildings were considered by the agent at that time to be “inappropriate for B1 uses beyond that which would be permitted as ancillary to residential use, making the condition and designation of live/work units appear unnecessary”. It went on to argue that the condition is also unreasonable as it requires the associated residential accommodation to be occupied solely by persons (including their dependants) working in the same premises. The agent asked what would happen if the occupier retires, becomes incapable of work or goes bankrupt.

Despite no supporting statement being submitted with the current application it is considered that the same arguments are relevant here and it is therefore considered that the change of use to a single dwelling is acceptable in principle. Furthermore, planning policy officers have previously advised that, while recognising that there is a place for live/work units in mixed use developments and recognising the advice in the NPPF, live/work units should in future be considered as an additional bonus to any employment floorspace required on the site, rather than contributing to specifically meeting Adur’s employment floorspace needs. Therefore the loss of a live/work unit would not have a detrimental impact on employment provision in the District and this would negate the need to attach potentially unenforceable and impractical conditions for their retention.

In the light of the similar approvals set out above it is considered that the current application is acceptable for the reasons as previously discussed.

A condition will be attached to ensure that the ground floor residential accommodation is used in connection with and ancillary to the main dwelling and does not provide a separate unit of accommodation. This could have implications for residential amenity and or traffic and parking issues.

Visual amenity

No physical changes to the external appearance of the building are proposed.

Residential amenity

The use of the property as a single dwelling with no work floorspace will clearly not have an adverse impact on residential amenity.

Accessibility and parking

The available parking spaces adjacent to the site remain unchanged from those that existed when consent was granted for this development. The integral garage will also remain. The proposed change of use will not result in any material change to the number of vehicular movements associated with the property. Cycle provision already exists and is unchanged.

Recommendation

APPROVE
Subject to Conditions:-

1. Approved Plans
2. Standard time limit
3. Use of dwelling for one single household space to be used ancillary.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Peter Barnett Date: 7 September 2017

Authorised by: Gary Peck Date: 7 September 2017