Development Management – Delegated Officer Report

Application Number: AWDM/0358/23 Recommendation – Approve

Site: **1 Windmill Parade, 163-183 Old Shoreham Road, Southwick**

Proposal: **Construction of first floor extension to west elevation with dormers to north, south and west elevations to provide 2 additional residential units including new, relocated flue for restaurant.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 29 March 2023

Site and Surroundings

This application relates to a two storey end of terrace building on the north side of Old Shoreham Road and the corner of Overhill in Southwick. The property is part of a commercial terrace with the ground floor occupied by an Indian restaurant and the upper floor a self contained three bedroom flat. The restaurant at ground floor has been extended to the side with a curved fronted flat roofed extension which extends along the back edge of the pavement beyond the original rear wall. A single storey rear extension has also been added.

The site has a detached garage and store at the back accessed off Overhill. A small restaurant patio area sits between. The garage adjoins an access road to at least two other garages to the rear of Windmill Parade commercial properties. Next door, No. 2, is a chemist with flat over. One of the garages belongs to this site. The owner of the chemists also owns the flat over. As built the flat has a rear staircase down to a rear garden which is also used by the chemists for access and amenity.

Land rises up from Old Shoreham Road into Overhill such that bungalows in Overhill, a wholly residential street, are on higher ground. On the opposite corner fronting Old Shoreham Road is a more modern two storey flat roofed Mitsubishi car showroom and garage with showroom parking on both road frontages and garage access off Overhill. Other properties in the terrace have extended into the roofslope with flat roofed dormers.

The site is not in a conservation area and is not listed. It is in Flood Zone One and is susceptible to surface water flooding.

Proposal

Permission was granted in December 2018 to add a hipped roof extension to the first floor side, extending to the back edge of the existing side addition. This extension also included dormer windows in the three front, side and rear roofslopes. The extensions created two additional flats, 3 flats in total, 2 x two bed and 1x one bed.

Permission was then granted to extend the ground floor by 2.25 metres northwards to enlarge the restaurant kitchen floorspace (AWDM/0247/20).

This application seeks to renew that last permission.

Relevant Planning History

AWDM/0247/20 - Construction of first floor extension to west elevation with dormers to north, south and west elevations to provide 2 additional residential units including new, relocated flue for restaurant (Amendment to application AWDM/1456/18). Amendment includes enlargement of extension at ground floor level by 2.25m to the north - Approved.

AWDM/1457/18 - Extension of garage to west elevation and conversion to residential unit with associated cycle and bin storage. Refused 30.11.18. Appeal Dismissed

AWDM/1456/18 - Construction of first floor extension to west elevation with dormers to north, south and west elevations to provide 2 additional residential units including new, relocated flue, for restaurant. Granted 13.12.18

SW/27/03/TP - Single-storey rear extension to restaurant kitchen & staff bedroom/ensuite WC in roofspace with side and rear dormers. Granted 24.9.03

SW/7/96/TP - Change of use of remainder of ground floor to take-away/restaurant; front and rear single-storey extensions; and alterations (incl. external stairs, etc). Granted 25.3.96

SW/11/95/TP - Change of use from Shop (Class A1) to hot food takeaway (Class A3) (closing earlier than 11PM). Refused 27.3.95

SW/1/95/TP - Change of use from Shop (Class A1) To Indian hot food takeaway (Class A3). Refused 6.2.95

SW/66/82 - Change of use to separate Shop for sale of pets and petfood (Retention of extension without complying with condition 3 Of permission SW/90/80/TP). Granted 22.11.82

SW/49/82/TP - Bedroom - En Suite bathroom and two dormer windows. Granted 1.9.82

SW/90/80/TP - Alterations and extension at side (to enlarge retail sales area ttc.) and lean to extension on garage at rear (for cold store & general storage). Granted 8.12.80

SW/205/77/TP - Extension and wall. Granted 2.12.77

SW/157/77/TP - Stores for shop. Granted 18.10.77

Consultations

West Sussex County Council: The **Highway Authority** has no objection. No vehicular access or parking is associated with this proposal, and this seems to be the existing arrangement. However, the LHA appreciate the sustainable location of the site, within a short walking distance to, bus stops along A270 and Southwick train station (approx. 15 min walk). An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest that the proposal would exacerbate an existing safety concern.
The WSCC Car Parking Demand Calculator would expect 3 parking spaces to be provided for the proposed flats. The current permitted restaurant use is generating greater demand for parking provision and it has been operating without onsite parking provision without any evidence of highway safety concern. The Local Planning Authority may wish to assess any implication on on-street parking from an amenity perspective.
The proposed plan demonstrate space for cycle storage and these details are acceptable and can be secured via planning condition.

Adur & Worthing Councils: **Technical Services**: Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. We therefore have no objections to the proposals.
Surface water drainage- the application includes no/minor increase in impermeable area. Due to the scale and location of development we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations

Private Sector Housing: No objection in principle, but there is unsympathetic stacking between the first and second floor that could result in unresolvable neighbour disturbance

Southern Water: Standard advice

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 15, 18, 19, 20, 22, 28, 34, 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)WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)

Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The principle of development can be supported as it provides additional units of residential accommodation on a brown field site within the built up area boundary. This application was also previously approved in the same form.

Visual amenity

The existing property has a large flat roofed, high sided, single storey extension on the side which abuts the back edge of the pavement and extends beyond the back wall of the premises. It is set back from the main front wall and has an imperforate flank wall. The existing restaurant flue is visible over it from both road frontages.

The existing extension has a curved front/side wall. The proposed extension follows the line of the side extension and so has a ridge line lower than the original terrace. Otherwise the eaves line follows the original and the roof is fully hipped to respect the original property. The first floor extension beyond the main rear wall has a much lower fully hipped roof typical of rear outriggers.

There are front and rear dormers on several of the properties in the terrace. The front and rear dormers sit comfortably within the roofspace now. The side dormer also sits comfortably within the side roofslope.

Whilst this is a large extension up to the back edge of the footpath it is considered that the site can accommodate it and that the first floor will actually improve the appearance of this corner plot. The site and the commercial terrace relate entirely separately to the bungalows in Overhill and even with the extension beyond the main rear wall of the terrace it is considered that sufficient separation is retained between the proposed extension and the nearest bungalow so as not to interfere with the residential character of Overhill. The car showroom opposite is fully two storeys to a similar depth.

The flue is to be positioned behind the extension and will not be prominent from the road. This is a commercial terrace and a flue is a necessary ancillary addition to a restaurant. It will not be harmful to character.

Residential amenity – neighbouring occupiers

The extension is 6.5 metres off the boundary with No. 2 Windmill Parade and 165a above. No. 2 is part of the commercial terrace, a chemist. There is a separate flat above, No. 2. The extension does not break a 45 degree angle when measured from the mid point of the nearest first floor rear window in the flat. This site has a lawned rear garden with garage accessed from the rear service road. This garden is used by occupiers of the shop and also for access to the service road and garage by shop staff. The extension is sufficiently removed from the garden boundary not to be overbearing. The proposed roof hips away from the common boundary too. In addition the extension

extends only half the depth of the garden. Adequate afternoon sunlight will continue to reach this garden.

No. 2 Overhill is the nearest bungalow to the north of the site. This bungalow is beyond the site boundary and beyond the service road. The extension is 12 metres from the nearest point of the front garden of No. 2. No. 2 is also on higher ground. The extension is entirely forward of the front wall of No. 2.

It is not considered that at this distance the extension will be overbearing to occupiers of No. 2 nor will it lead to any significant loss of light or outlook. A window proposed in the first floor rear wall of the extension is the second window proposed to a living room. In the interest of privacy it is considered appropriate to require this window to be obscurely glazed and non opening below 1.7 metres thus reducing any perception of overlooking to No. 2.

Residential amenity – proposed occupiers

A two bedroom flat is to be created in the new extended loft space. Another two bedroom flat will occupy the front first floor of the original building and the extension with a one bedroom flat in the rear. The one bedroom flat meets the floorspace standard for a single double bedroom unit. The two bedroom flats meet the floorspace standard for two bed, 3 person units. The proposed stacking arrangement was previously considered to be acceptable and, notwithstanding the comments of the PSH team on this application, no changes to the layout are deemed to be necessary. The units will provide 3 acceptable sized flats.

The restaurant flue is to be replaced in a new position closer to the back of the outrigger. Environmental Health had previously raised concerns about the juxtaposition of this and the new rear dormer but they were satisfied that this can be left as a pre-commencement condition.

Parking and Access

Car parking is not provided for any of the units. However, this site is sustainably located within easy reach of bus stops to Brighton and Shoreham. It is also within walking distance of Southwick railway station. There is parking available outside the commercial units on Old Shoreham Road, limited to 1 hour during the day. Restrictions at the junction will prevent dangerous parking. The absence of car parking is this location is not significant. Cycle parking is shown within the development and a condition requires its provision prior to first occupation and retained thereafter.

Recommendation

APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. Materials to Match
4. Prior to any works commencing on site details of the new restaurant flue shall be submitted in writing to the Local Planning Authority for approval. Only such details as

approved shall be installed prior to first occupation of the new development and retained.
5. No new windows
6. Rear first floor window (north) obscure and non-opening below 1.7 metres
7. The cycle parking and bin storage shown on drawing 1388/P02 Rev H received 8 March 2023 shall be provided on site prior to first occupation of the extension and retained thereafter.

Informatives

1. 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.

2. Southern Water

Is recommendation contrary to any representations? N

Case Officer: Peter Barnett Date: 4 April 2023

Authorised and signed by: Date: 6 April 2023