Development Control – Delegated Officer Report

Application Number: AWDM/0366/13 Recommendation – Approve subject to S106

Site: **Builders Store Rear Of 4 To 14 Southview Road, Southwick Brighton, West Sussex, BN42 4TU**

Proposal: **Demolition of existing two-storey workshop and parking and replacement with new two-storey workshop with office accommodation including associated access and parking**

Date of site visit: 25 April 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a 'backland' site to the rear (east) of 4-12 Southview Road and which is also surrounded by residential development to the north east (in Roman Way) and south (in Roman Crescent). The site is in use as a yard for SD Holdings, a property rental business, and contains a two storey brick building on the eastern boundary which is used for storage of building materials and as a workshop. It has a floor area of approximately 180sqm. The site is accessed from a narrow drive between 2A and 4 Southview Road. The yard is rather untidy and parking is informally laid out.

The application proposes to demolish the existing building and to construct a replacement two storey building containing offices and storage for SD Holdings on the western boundary, with a floor area of approximately 236sqm. The yard is to be tidied up and 5 formal parking spaces provided on the eastern boundary. The existing access is to be improved by lowering the boundary wall to the south of the access to improve visibility.

The proposed building will measure 15m wide, 6.5m deep at its southern end and 9.5m deep at its northern end. It will have a pitched roof with a ridge height of 7.2m rising to 7.5m at its northern end. The existing building has a monopitch roof with a vertical wall on the west side 6m high. The application has been amended from its original submission to reorientate the building to run north-south along the western boundary, rather than east-west along the northern boundary, and to reduce its height and width.

The site abuts the Conservation Area to the south.

Relevant site history

Planning permission was granted in 1990 (for the same applicants) for a two storey office extension to the existing building along the northern boundary

and the conversion of the existing building to offices (SU/46/90) but this was never implemented.

Consultations

West Sussex County Council – No highway objection. Visibility should normally be in accordance with Manual for Streets, which recommends a visibility splay of x=2.4m and y=43m from the centre of the access. However, given the presence of parked cars and that vehicles exiting the site are likely to 'creep' out, a reduction in the x distance to 2.0m is acceptable. While the visibility is usually taken to the nearside kerb, in such an environment MfS makes allowances for visibility to be provided to the nearside running lane. Visibility should be clear of obstruction above 600mm. On the assumption that any intensification is likely to be minor, on balance, the positives in improving the visibility splay by dropping the height of the adjacent wall would outweigh the negatives associated with the tree.

With regards to Fire and Rescue, the narrowness of the accessway does not permit use of a fire applicance within the site. The developer also has options to install a dry main and can feed this from a starting point nearer the roadway or install a sprinkler system to mitigate the risk.

A sustainable transport contribution of £4,009 is required.

Adur and Worthing Councils: The EHO recommends a precautionary condition relating to possible contamination. Also request a condition requiring details of any security lights/parking lights to be submitted and agreed prior to installation and an informative advising the applicant to contact environmental health for a demolition notice under the Building Act 1984 prior to any demolition taking place.

Representations

Amended Plans – 8 emails/letters received from the occupiers of 6, 10, 16 Southview Road, 35, 37 Roman Way, 9A, 11, 13 Roman Crescent objecting to the application on the following grounds:-

- Security concerns – removal of existing building and construction of lower boundary wall plus introduction of gap between the new building and the boundary
- First floor toilet window will face towards rear garden of properties in Southview Road while front windows will overlook properties in Roman Way and Roman Crescent
- Increased activity and lower boundary wall will increase noise
- Loss of wildlife, including bats
- Loss of light
- Loss of character
- Increased traffic and parking problems
- Workshop use could disturb quiet residential area
- Unacceptable intensification of use
- Increased fire risk

- Will access road be resurfaced?
- Increased traffic might affect drains under access road and cause vibration damage to neighbouring properties

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AE16
Assessment of Saved Policies against the NPPF (ADC 2013)
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The proposal comprises alterations and improvements of existing business premises and can be supported in principle under saved Local Plan policy AE16. The relevant issues are the effects on the amenities of neighbouring residential occupiers and consideration of car parking/access.

Visual amenity

The building is 2 storeys high with a hipped roof and has a domestic appearance, with a garage door, entrance porch and first floor windows set within the eaves. It will be 1.8m taller than the existing building at its highest point (but with a 1m lower eaves height) and will be a more substantial built form with a larger footprint. However, it will be hidden from public view, being located within a backland site which is not visible from any of the surrounding roads. It will not detract from the setting of the Conservation Area and will result in a 'tidying up' of the existing yard.

Residential amenity

The site is surrounded by residential properties and the main consideration is the impact on the amenities of neighbouring occupiers. In Southview Road to the west the existing building forms the boundary with nos. 4-12. It is to be demolished and the new building will be 1.2m further from the boundary. A new 3m high wall is to be constructed to ensure the privacy and security of those residents to the west.

The building will be higher and wider than the existing workshop but much of this additional bulk is formed by the roof which will pitch away from the boundary which will help to reduce the impact on the occupiers to the west. The increased separation from the boundary will ensure a distance of approximately 16m to the rear of the Southview Road houses which will further help to mitigate the impact on light and outlook. A first floor window on the west elevation will serve a toilet only and is to be obscure glazed. This can also be required by condition to be fixed shut, with mechanical ventilation used if necessary.

To the east, the site is abutted by dwellings in Roman Way, the most affected of which is No. 35. That dwelling is positioned north east of the site rather than directly behind it and views from the new building will be indirect rather than towards the private rooms of No.35. A separation distance of 22m will remain between the proposed building and the rear of No.35 which meets the accepted minimum distance for facing principal windows. The site is also reasonably well screened (particularly during the summer months when the boundary trees within the garden of No. 35 are in leaf). No.37 Roman Way is situated further north and is considered to be less affected in view of the distance and angle involved.

To the south the dwellings in Roman Crescent are similarly not considered to be adversely affected given the orientation and distance involved.

Concern has been expressed at the use of the building as a workshop. However, the existing building has a workshop use and is also used for storage. The proposed floor plans show a predominantly office use of the building with an area designated for 'parking/storage' on the ground floor. While there may be some workshop activity in this area it would be restricted by condition to fall within Use Class B1only, which is activity that can be carried out in a residential area without causing disturbance. The hours of use can also be restricted. In view of the proximity to residential properties it is also considered reasonable and necessary to make this a personal permission to SD Holdings Ltd as another user could introduce a more intensive form of use of the site.

Accessibility and parking

The development will utilise the existing single track access from Southview Road, which runs between Nos. 2a and 4. Visibility has been improved at the access junction with Southview Road by lowering the boundary wall at 2a and WSCC has no objection. The use is existing and any intensification is expected to be minor. The query about vibration damage to the buildings either side of the access is a civil rather than planning matter.

Ecology

Several representations have queried whether there are bats roosting in the existing building. The applicants commissioned an ecological survey which confirms that no evidence of bats was found.

Recommendation

Subject to completion of a satisfactory section 106 Obligation undertaking to pay the sustainable transport contribution of £4,009, **APPROVE** for the reason:-

The proposed development is within the built-up area and would help meet the need for improved employment provision and economic and environmental regeneration without detracting from the local environment and the adjacent Conservation Area. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with

the relevant policies of the Adur District Local Plan (AG1, AE16, AB4) and the policies of the National Planning Policy Framework.

Subject to Conditions:-

1. Standard 3 year time limit
2. Approved plans
3. Materials for building
4. No lighting without consent
5. B1 use only and personal to SD Holdings
6. Hours of use 8am - 6pm Monday – Friday; 8.30am -1pm Saturdays. No working Sundays or Public Holidays
7. Obscure glaze and fix shut first floor window on west elevation
8. Remove PD rights for office/industrial buildings
9. Wall to be rebuilt to 3m prior to occupation
10. Visibility splay to be kept below 600mm
11. Parking spaces to be provided
12. Existing buildings removed and all debris removed from site
13. Landscaping
14. Hours of construction 8am – 6pm Monday to Friday; 8am -1pm Saturdays only

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.

Informative: Precautionary contamination
Informative: Demolition Notice

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

Case Officer: Peter Barnett Date: 13 August 2013

Authorised by: Gary Peck Date: 16 August 2013