Development Management - Delegated Officer Report

Application Number: AWDM/2136/20 Recommendation – Approve

Site: Town Hall Chambers, 45 - 49 High Street Shoreham-By-Sea, West Sussex

Proposal: Change of use and refurbishment of existing B1(a) office space to create 6no. residential units (4 x 1 bed maisonettes, 1 x 1 bed flat and 1 x 2 bed flat) and 1no. B1(a) office unit, extension of flat roof at rear plus new mono pitched roof, replacement and refurbishment of windows, new rooflights, vents.

Date of site visit: Visited in connection with previous application.

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the Old Town Hall on Shoreham High Street, within the Conservation Area. It has a 2 storey façade and is used as a restaurant on the ground floor with office accommodation above over 2 floors. It is a Grade II listed building. At the rear is The Annexe, a modern 4 storey addition with a flat roof and is also used for office accommodation. There is also a 2 storey rear extension which encloses a square light well. The ground level drops towards the river to the south and the entry level is at lower ground floor.

Permission was granted in 2014 the conversion of the building to form 6 flats and 1 no. B1(a) office as follows:-

Lower ground floor – lower floor of B1(a) office space and cycle/waste store
Upper Ground floor – upper floor of B1 (a) office space and retained restaurant use
First Floor – 2 bedroom flat and ground floor of 4 x 1 bed flats
Second floor – 1 bedroom flat and upper floor of 4 x 1 bed flats

That permission has lapsed and the current application is for an almost identical scheme but with a few minor amendments. There is a separate application for Listed Building Consent (AWDM/2138/20).

The current application proposes the same quantum of development
A small mono-pitched roof extension is proposed at the back of the building over an existing void. All windows and doors on the west facing elevation of the Annexe are to be replaced with new timber casements. Two windows on the rear (south) elevation of the original building are also to be replaced in timber with metal coating.

Four conservation rooflights are to be installed on the south facing (rear) roofslope of the Old Town Hall, together with 6 bathroom extractors and a further 2 on the east facing hip of the roof.

Internally, a large circulation staircase in The Annexe and decorative windows are to be retained.

Changes from the previous scheme are:

- New ventilation for kitchen and bathroom space, via internal pipework to be fixed to the wall in discreet locations.
- Additional low rise flues and venting tiles to be installed on the rear roofslope.
- A new external escape staircase which was previously proposed to run from ground level on the High Street along to upper ground floor level on the Annexe on the west side of the building has been removed from the scheme.
- Two flats have been reconfigured in order to comply with the nationally described space standards.

Relevant site history

AWDM/0737/14 - Change of use and refurbishment of existing B1(a) office space to create 6no. residential units (4 x 1 bed maisonettes, 1 x 1 bed flat and 1 x 2 bed flat) and 1no. B1(a) office unit with new external raised walkway with balustrade to west elevation, extension of flat roof at rear plus new mono pitched roof, replacement and refurbishment of windows, new rooflights, vents.

AWDM/0739/14 - Application for Listed Building Consent for change of use and refurbishment of existing B1(a) office space to create 6no. residential units (4 x 1 bed maisonettes, 1 x 1 bed flat and 1 x 2 bed flat) and 1no. B1(a) office unit with new external raised walkway with balustrade to west elevation, extension of flat roof at rear plus new mono pitched roof, replacement and refurbishment of windows, new rooflights, vents.

Consultations

West Sussex County Council: The Highway Officer has no objection. The site is located in the heart of the town centre in Shoreham-by-sea, and is within 0.35miles to the train station and local bus services. It is considered that due to its central location a ‘zero’ car parking strategy can be accommodated here. Enforceable parking restrictions are in operation within the High Street and the surrounding roads during the daytime, discouraging car use to and from the development.

The office element of the proposal would attract 2 employees; and at the most 2 trips would be generated for this and could be accommodated within the local ‘pay and display’ car parks.

Recommend conditions relating to cycle parking and construction plant and materials.

Adur & Worthing Councils: **Public Health**: I have looked at the revised and updated acoustic report dated 05/10/2023. I agree with the conclusions and recommendations contained in section 10.5 and recommend they are implemented in full.

For the sound insulation: The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level.

The Air Quality Report and its conclusions are accepted. Recommend the construction phase mitigation proposed in section 5.21 be implemented in full.

Private Sector Housing: Original Plans - Some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. In this case, all the maisonettes fall below the space standards for two storey 1- bed properties of 58sq.m.
F2 has a poor layout and the bedroom is an inner room - this can be addressed by moving the door between the living room and the bedroom so that it leads to the lobby instead.

Technical Services: Flood risk- The application is within flood zone 3, and is not shown to be at risk from surface water flooding. We note that flood defence works have been completed, however given the site is still classified as flood zone 2/3 a flood risk assessment should still be submitted and the Environment Agency consulted.
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

Planning Policy: I note the proposal reduces significantly (although does not completely remove) the B1 office use from the premises, and that no marketing material has been provided to support the requirements of Policy 25. (Criterion i of the policy supports the loss of a 'small proportion' where the remaining space would be upgraded).

However I am mindful of the fact that there are several factors specific to this scheme. A previous consent was granted for a very similar proposal; this is a listed building; and much of the office space has been vacant for some time and is of poor quality. Given these matters and the fact that the remaining element of B1 office space will in fact be increased in size there is no policy objection in this particular case.

Environment Agency: No objection subject to compliance with FRA, i.e. all residential accommodation shall be located on the first floor or above to

ensure the finished floor level is above the design flood level including climate change

Southern Water: The properties are already built over an existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth or the structural load applied on the sewer it will be necessary for the applicant to seek Southern Water's approval.

ADCAG: Approve.

Representations

Objection received from the occupier of 4 Town Quay Apartments:

Although I appreciate the project has been scaled down my original objections and those of my fellow neighbours in Town Quay Apartments still stand. The problems with parking for six new residential units cannot be underestimated. We regularly have our garages in Town Quay blocked by other cars.
The windows on the southern elevation of the conversion would overlook the northern windows of Town Quay. This would be an invasion of privacy and could be a source of cooking odours and noise.
The plans show our forecourt which is the land adjoining Town Chambers, as empty. It is never empty. We park cars here, store our bins, have a shed and have a small garden area with an outside tap. If the application is successful hopefully assurances can be given that our cars will be safe here while the work goes on, otherwise it is a loss of an amenity

Relevant Planning Policies

Adur Local Plan 2017 policies 2, 3, 4, 11, 15, 17, 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)
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
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 proposal is to convert a listed building which is currently in use as offices. The Adur Local Plan states that buildings currently or last in use for Class B1 purposes should be retained as such unless it can be satisfactorily demonstrated that the premises are genuinely redundant and unlikely to be re-used for such purposes.

No evidence of marketing has been provided with the application but the Design & Access Statement does state that the building is in a deteriorating

state of repair and a significant number of the office units in the building have been vacant for the last 10 years. Income generated from the leasing of the office space has not covered the cost of building maintenance. The office space is of poor quality and is outdated.

The application would provide one upgraded B1 office unit and 6 residential units (as well as the retained restaurant on the ground floor) and it is not considered in the circumstances that a policy objection can be sustained. There is support in the NPPF for the re-use of such space for residential, particularly as it is within the town centre.

Visual amenity and impact on Listed Building & Conservation Area

The extension to the rear of the building will not be visible from the High Street and it affects the annexe rather than the original part of the building.

A number of flues and vents are proposed which will not be visible from the High Street but which will project through the roof of the Listed Building. While unfortunate, they are required because of the mechanical ventilation system proposed (necessary as a result of the proximity of the accommodation to the High Street). They are to be positioned low down on the roof and would be of limited height. Vent tiles would be recessed so as not to break the roofline and would be coloured to match the slates. Internally, the ventilation system will be hidden within cupboards with ductwork exposed and suspended from the ceiling at a height to prevent interference with the decorative ceiling, or running through the roof void. Details have been submitted and the impact on the character of the building is not considered to be harmful.

The removal of the external staircase on the west elevation is beneficial to the visual appearance of the development and its impact on the Conservation Area.

Internally, new partitions will preserve existing detailing and be located between existing pilasters. The retention of the circulation staircase and stained glass windows is an important part of the scheme and ensures that important features are preserved. All windows and doors on the west elevation of the Annexe are to be replaced with new timber casement windows and doors. Conservation rooflights are proposed to the rear of the listed building which are considered to be appropriately positioned and spaced. Solar panels are suggested as being proposed in the Sustainability Report and final detail of these will need to be submitted and approved to ensure they do not harm the character or appearance of the building.

The removal of the two windows on the rear elevation are within the original building. Justification for their removal has been provided by the applicant's agent:

"*The two windows in question were both shown to be replaced on the original planning and listed building approval elevation drawing, C-2022 202 F, the amendment note for which remains unaltered. (Original approvals were AWDM/0739/14 for listed building and AWDM/0737/14 for planning).*

The amendment note gives the reason for their replacement: the top portion of the windows in question are to be obscure glazed, to hide and fire seal, a floor passing behind them, while the lower portions need to open automatically in the event of a fire to allow smoke to be vented from the spaces behind them. The existing windows are not readily adaptable for automatic opening and are in poor condition so it was proposed that they be replaced with new.

The new windows were covered under condition 2 of both of the original approvals, requiring details to be submitted, while condition 9, approved documents, of the planning approval, (condition 4 of the listed building approval), confirm the approved elevations.

Ventilation of the spaces behind the lower portion of the windows is a building regulation requirement and the location of the windows give an ideal opportunity to provide that, without needing to install unsightly mechanical extract type vents which would have an adverse visual impact on the building; by utilising these windows such a visual impact is avoided.

As can be seen from the elevations, the window appearance, in terms of transom and panes, is to replicate that of the existing.

The windows are also in a poor state of repair and require replacement. The proposal, as on the original approvals and under the revision note, is for timber clad in metal as the existing windows are metal."

Given that approval was previously given to replace these windows, and that they are to match existing, it is considered that permission can be granted for their replacement this time, subject to a condition requiring full details.

Overall, it is considered that the proposed development is a sympathetic proposal which will not harm the historic fabric of the listed building and will preserve the character and appearance of the Conservation Area.

Residential amenity

The proposed flats do not meet the minimum floorspace requirements as set out in the technical housing standards. Where there is a shortfall, this is a result of the constraints of converting a listed building where sensitive positioning of partitions is necessary. Overall, the standard of accommodation to be provided is considered to be acceptable.

The accommodation on the north side of the building will be maisonettes over 2 floors, the bedroom space being partly within the vaulted ceiling. A balustrade is to be provided at the edge of the upper floor with an open void to the lower accommodation below.

No external amenity space is available but this is common in a town centre location and is not a reason to resist the application.

In terms of noise from the High Street, an accompanying report submitted by the applicants concludes that mitigation is required in terms of sealing and

better fitted secondary glazing. Each unit is to be mechanically ventilated to enable acoustic protection for future occupants on the north side of the building.

Noise from the restaurant will be prevented from causing disturbance through the use of acoustic flooring.

In terms of the impact on existing residents in Town Quay, the windows on the south elevation largely exist and no new openings are being proposed over and above that which was previously approved. The building was previously in office use and there would have been regular overlooking from the existing windows.

However, one of the new windows on the south elevation, within the proposed extension, is to serve a bedroom and amended plans have been received to show it being obscure glazed up to 1.7m above the floor level of the room. This should help to reduce overlooking

Access and Parking

The site is within a sustainable town centre location close to the train station and local bus services. WSCC agree that due to its central location a 'zero' car parking strategy can be accommodated here. Enforceable parking restrictions are in operation within the High Street and the surrounding roads during the daytime, discouraging car use to and from the development.

The office element of the proposal would attract 2 employees; and at the most 2 trips would be generated for this and could be accommodated within the local 'pay and display' car parks.

There is no highway objection to the proposal. It should be noted that the existing office accommodation also has no parking provision.

Flood Risk

The site falls within Flood Zone 3b and any habitable accommodation must be at least 5.27m AOD. The lowest residential accommodation is at first floor, above the anticipated flood level and the Environment Agency has no objections on this basis. A previously proposed dry means of escape by means of a new external staircase running from upper ground floor to the High Street on the west side of the building is no longer required as the EA has accepted that residents can remain safely within their flats while flood waters recede.

Sustainability

A Sustainability report submitted with the application states that PV panels are a viable option here, subject to further details.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Details of new windows and doors, flues, vent tiles and rooflights to be submitted and approved
4. Internal ductwork as per approved drawings and provided prior to first occupation
5. Details of secondary glazing including depth of reveal, method of fixing, method of opening, materials and profile to be submitted and approved
6. Noise insulation to be carried out as per noise report. The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level.
7. FRA
8. Cycle parking
9. CMP
10. Hours of construction
11. The business unit hereby approved shall be used as office space within Use Class E (i) and for no other purpose
12. The construction phase mitigation proposed in section 5.21 of the Air Quality Assessment dated July 2023 shall be implemented in full throughout the construction phase.
13. Final details of proposed energy efficiency measures, including details of their size, number, siting and method of fitting, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. All energy efficiency and sustainability measures shall be fully implemented prior to first occupation of the building.
14. The first floor bedroom window on the south elevation shall be obscure glazed below 1.7m above the floor level of the room

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

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.

Case Officer: Peter Barnett Date: 14 November 2023

Authorised by: Gary Peck Date: 14 November 2023