Development Control – Delegated Officer Report

Application Number: AWDM/1305/23 **Recommendation APPROVE**

Site: **6 Underdown Road, Southwick, Brighton BN42 4HL**

Proposal: **Proposed change of use of ground floor from use Class E (shop) to use Class C3 (1no. 1 bedroom flat) with associated alterations.**

Date of site visit: 08.11.2019 - Assessment has been assisted using the Applicants plans; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application site relates to the ground floor only of an existing property no. 6 Underdown Road, which is a 2 storey, plus basement, semi-detached property. The ground floor has a fascia sign stating 'House of Beauty', however, that use is now not operating. The first floor is in use as a one bed flat. The application also includes 1no. parking space onto the front hardstanding of the site.

The basement is shown on the plans as being used for non-combustible storage purposes. The basement lies on much lower land than the driveway access to the side on the property. There is a prefabricated double garage positioned behind no. 6 and also a prefabricated storage building. Between the rear garage and store, there is an existing parking area for up to 2no. cars, which does not relate to this current application.

There is a relatively recent 2 storey residential property constructed on the south side of the driveway access drive (no. 4 Underdown Road) fronting Underdown Road. Behind and to the side of no. 4 is 'Cross Road Rest Garden' an area of POS which contains trees, grass and seating areas.

The drive leads down to the aforementioned prefabricated structures, and then continues downwards to 'Clifton Lodge', a more recent development comprising 4no. residential units. Clifton Lodge is on much lower land than the street and properties at the front.

Proposal

Planning permission is sought for a change of use of the commercial (Class E) ground floor, to 1no. x 1 bedroom self-contained flat.

Relevant Planning History:

AWDM/1153/19 Change of use of basement to 1no. bedroom flat with new rear extension, rear patio, bin and bike storage and 2no. car parking spaces. **Refused 23.12 2019**

AWDM/1259/16 Demolition of existing detached garage in rear garden and erection of detached outbuilding to be used as commercial office (Use Class B1) with two parking spaces. **Approved 01.11.2016**

AWDM/0920/12 Demolition of existing outbuildings and erection of 1 x 2 bedroom, flat roofed dwelling with conversion of existing ground floor retail unit and basement stores to form 2 x 1 bedroom self-contained flats with associated parking and gardens. **Withdrawn 02.07.2013**

AWDM/0060/11 Change of use of ground floor and basement from commercial use to 2no. to 2no. 1 bed flats **Withdrawn 14.06.2011**

SW/47/05/TP Permanent continued use of basement as furniture repair and restoration workshop (retrospective) **Approved 05.08.2005**

SW/45/99/TP Resumption of use of basement as furniture repair workshop (renewal of SW/38/91) **Approved 17.09.1999 (Temp until 30.09.2002)**

SW/38/91/TP Continued use of basement as furniture repair workshop (renewal of SW/82/88/TP) **Approved 26.07.1991**

SW/16/93/TP Application for certificate of lawfulness for existing double garage at rear of site **Granted 21.04.1993**

SW/23/82/TP Change of use to basement from shop and workshop to furniture repair workshop **Approved 03.06.1982 (Temp until 30.06.1985)**

SW/53/05/TP Use of domestic garages for storage by double glazing company 09.09.2005

Consultations:

Southern Water:

"Southern Water requires a formal application for any new connection to the public foul and surface waste sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk

We request that should this application receive planning approval, the following informative is attached to the consent:
And please read our New Connections Charging Arrangements documents which are available on our website via the following link:
southernwater.co.uk/developing-building/connection-charging-arrangements

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore any sewer found during works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site."

Environmental Health Public Health

Suggest working times

If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Environmental Health Private Sector Housing

The bedroom is an inner room, which can be mitigated by ensuring that the bedroom window is a fire escape window.

WSCC Highways

Summary and Context
This application is for the conversion of ground floor shop to residential to form a one-bedroom flat. The site is located on Underdown Road, an unclassified road subject to a speed restriction of 30 mph. Following an inspection of the submitted application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for application AWDM/1153/19, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

Content
The site is served by an existing dropped kerb access fronting the site, and no alterations are proposed to this access arrangement. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing access point on Underdown Road. In addition, the proposed change of use to

residential is not anticipated to give rise to a material intensification of use of the existing access point.

One existing car parking space is to be retained to serve the proposed dwelling, in accordance with WSCC Parking Standards for a dwelling of this size and location. No details of cycle parking have been provided, and the LHA would request that secure cycle parking provision for at least one bicycle be provided in accordance with WSCC Parking
Standards.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. In terms of public transport, regular bus services are available from the nearby A270. Southwick Railway Station is located approximately 900m south of the site.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions should be applied:

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Representations: None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 15, 20, 28, 34
National Planning Policy Framework 2023

Planning Assessment

There is no objection in principle to the proposed change of use to provide a residential unit. The key concerns are the effects on the neighbouring residential properties, and the visual amenities of the locality.

<u>Housing standards:</u>

Bedroom: 4.25m x 3.10m = 13.18m^2 : Equates as a double room or a twin bedroom

Lounge: 4.45m x 3.40m = 15.10m^2

Shower room: 0.97m x 3.1m = 3m^2

Total floor area is 43m2 which complies with the national standard for a 1 bed 1 person flat.

Residential Amenity

Underdown Road is predominantly a residential street, and although the application site was formerly within a commercial use as a Beauty Salon, it is not now operating, and indeed has not for a while.

The first floor is in residential use and the basement is used as storage, unrelated to the ground and first floor.

Like many properties within the street, the front area is hardsurfaced and has been used for car parking for some time. There is an access road directly to the side of no. 6 which leads down to 'Clifton Lodge', being purpose built flats.

Behind no. 6 there is a garage and a store/shed with parking between them. This area is not related to the ground floor proposal whatsoever.

Other than there will be a requirement to ensure that the bedroom window is a fire escape window, Public Health have raised no objections to the change of use to a flat. Subsequent to Public Health's comments, the plan has been amended and now has been notated to show that the window is an escape window.

With regard to policy for the commercial use not being retained, it is considered that as the use has not been operating for approx. 1 year and is within a residential street rather than a local shopping parade, there is no objection to the change of use in principle.

The required cycle parking condition required by WSCC Highways, is unfortunately not able to be provided in the manner requested, as, other than the parking space to the front, there is no other additional land on which to place cycle storage.

It is considered that the provision of a residential unit within the residential street, is a favourable residential provision within this locality.

Visual Amenity

There will be changes to the front elevation of the property, as the shopfront will be removed and 2no. doors and 1no. window will replace the shopfront. The doors will be the individual entrances to the ground floor flat (the subject of this application), and the existing first floor flat. The window will be similar to that at no. 12 Underdown Road.

There will also be changes to some windows on the rear elevation relating to this application being means of escape windows as required by Environmental Health Public Sector Housing.

The front elevation will be rendered to be in keeping with the existing elevation.

These amendments will be in accordance with others within the street and will not result in any material loss of visual amenity to the neighbouring residential properties.

Recommendation

APPROVE subject to the following condition(s)

1. Approved plans
2. Standard time limit
3. Materials

Informative

1. Approved following revision

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

Case Officer: Eve Hearsey Date: 30.07.2024

Authorised by: Peter Barnett Date: 30 July 2024