Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/0799/15

Site: **1 Broad Reach, Shoreham-by-Sea,**

Proposal: **Change of use from live-work to residential (Use Class C3)**

Date of site visit: 21/07/15

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 designated as a live/work unit, along with 9 other properties in the vicinity. No. 1 is the end of terrace property within the main block of original live/work units at this development. It is the corner plot where there is limited parking and double yellow lines. 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. The building is currently residential at first and second floor with the ground floor shown on the plans as office use with integral garage. The applicants agent has confirmed that the ground floor 'office' space is currently being used as a stock room for products relating to www.seapalmtherapies.co.uk and an advertising board is currently in the window. The office space (as labelled on the existing plans) to the front of the building has existing access from street level. There is a secondary entrance level to the south around the corner also on street level.

The property does not have an allocated car parking space however there is a public car park in close proximity and street parking directly opposite the site.

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.

In 2007 an application was refused for 1 Broad Reach the application site for the existing live-work unit to be occupied as separate office and residential units. ADC/0419/07. It was considered unacceptable due to the proposal being likely to lead to an increase in vehicle movements on site and therefore to increased demand for parking and indiscriminate parking that would adversely impact on the amenity of Ropetackle. This would also be increased if there were a cumulative impact from other live work units following the precedent that this would set.

The current application is different in that it would result in the loss of the live work unit however no office space would be created independently as the unit would become one residential dwelling, occupied by one household as would be any other normal dwelling. Therefore there would be no traffic or parking implications as a result that would have been the case should ADC/0419/07 be permitted. The proposed plans show the ground floor to form a living room (with option of ground floor bedroom) and a home office to the front of the building. The garage is to remain.

Representations

None received

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1
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 to some extent from 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.

The 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 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 on the same premises. The agent asked what would happen if the occupier retires, becomes incapable of work or goes bankrupt. The Statement then argued that there is an oversupply of office accommodation within Adur while the floorspace provided within the live/work unit for office use is of poor quality.

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 and ancillary to the main dwelling and does not provide separate office or commercial space or 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 have been carried out or are necessary.

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.

The change of use from a live/work unit to a solely residential use will result in the loss of designated B1 floorspace. However, the property is physically separate and of a different character to the other live/work units within the Ropetackle development and the condition was considered to be overly restrictive. It is not considered therefore that the change of use will detract from the local environment, have a detrimental impact on employment provision in the District, or result in unacceptable detriment to the amenities of neighbouring properties. It consequently does not conflict with saved policy AG1 or AH7 of the Adur District Local Plan nor is it conflicting with the NPPF.

Recommendation

APPROVE
Subject to Conditions:-

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

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: Hannah Barker Date: 21st July 2015

Authorised by Jo Morin Date: 22.07.2015