Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**

Site: **7 Harbour House, Harbour Way, Shoreham-By-Sea West Sussex, BN43 5HZ**

Proposal: **Change of use of live-work unit to a dwelling.**

Date of site visit: 6 February 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to one of 8 similar live/work units on the north side of Harbour Way. The two storey building was formerly in use as a single B1 office building which was converted in 1998 to live/work units (SU/88/98). That consent was subject to, among others, Condition 3 which restricted the ground floor of the premises to B1 office use with the first floor as residential.

In 2004 this condition was varied to enable flexibility between the floors (i.e. to allow residential use on the ground floor and business use on the upper floor) (SU/97/04).

Permission is now sought to change the use of No.7 to solely residential use. The property has two parking spaces at the front and a small garden at the rear. Additional parking is also available to the east side of Harbour House. It has the potential to be used as a 3 bedroom dwelling.

The change of use is sought because the current occupant has recently suffered a heart attack and is no longer able to run her business. The property is effectively already in wholly residential use, although there is a small area on the ground floor which is still available for business purposes.

Relevant site history

AWDM/0250/11 – Change of use of No. 5 from a 'live-work' unit to a dwellinghouse. Approved

Consultations

None

Representations

None received

Relevant Planning Policies

The South East Plan (GOSE 2009): SCT1-7, RE3, H1-5, NRM4
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996): AG1, AE8, AE9
National Planning Policy Framework

Planning Assessment

Principle

The main considerations are the loss of commercial floorspace and the impact on the amenities of the area.

Loss of employment space

The issues to be considered with this application are similar to those relating to other applications for the change of use of commercial premises in the locality in recent years. At the appeal against the refusal of ADC/0399/07 (South Wharf House) in 2008, the Inspector acknowledged the Council's "informal" policy to retain the level of B1 use in order to retain a mixed use development. However, he found that there was no demonstrable lack of other B1 employment sites around Shoreham and found there was "inadequate reason to withhold permission for a conversion of the majority of the premises to residential use." He added that "there would still be about 240sqm of B1 space within the building which could accommodate some local demand."

Since then all business floorspace at South Wharf House has been lost to residential, with planning permission also granted to replace offices and workshops with dwellings at Britannia Avenue (ADC/0326/10), at the rear of Harbour House. The view has been taken with other live-work units in Shoreham at Ropetackle 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, such 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.

Visual amenity and character

The proposal will have no impact on the external appearance of the building.

Residential amenity

The site sits between live/work units but these are restricted to B1 office use only and will not result in disturbance or activity unsuitable in a residential area.

The site has a rear garden and it is considered that adequate amenity space will be provided. The property was formerly in part residential use and has an internal layout on both floors which lends itself comfortably to residential use. However, it is considered necessary to remove PD rights for future extensions and outbuildings.

Recommendation

APPROVE for the reason:-

The change of use from a live/work unit to a solely residential use will result in the loss of designated B1 floorspace. However, live/work units are considered as an additional bonus to any employment floorspace required in the District, 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. It is not considered therefore that the change of use will detract from the local environment or result in unacceptable detriment to the amenities of neighbouring properties. It consequently does not conflict with saved policy AG1 of the Adur District Local Plan.

Subject to Conditions:-

1. C1Ci
2. C18B
3. This permission relates to the following approved plans:
   Location Plan and Block Plan received 15 January 2013
   Reason– For the avoidance of doubt and in the interests of proper planning

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: Peter Barnett Date: 11 February 2013

Authorised by: Gary Peck Date: 11 February 2013