DELEGATED APPLICATIONS ASSESSMENT SHEET

Application No: 10/0994/FULL	Recommendation – Approve Application
Site	3 Downlands Parade Worthing West Sussex BN14 9JH
Proposal:	Single storey rear extension to provide w.c. and store.

Date of Site Visit:

Neighbours Checked: Y

Additional Neighbours Notified (List Addressess): N

Site and Surroundings & Details of Proposal:

DELEGATED APPLICATIONS ASSESSMENT SHEETAPPLICATION NO./ADDRESS: WB/11/0994/FULL – 13 Downlands Parade DATE OF SITE VISIT: 09/03/11 NEIGHBOURS CHECKED: YADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): NSITE AND SURROUNDINGS: The site is on the corner of the busy A27 inter-change with Lyons Farm Retail Park. It forms part of a shopping parade. This parade is to the south side of Upper Brighton Road and extends round the southwest corner of the junction with Sompting Road.The application property is a two-storey mid terrace. The ground floor is put over to a Fish and Chip Takeaway. A self contained flat exists at first floor. The adjoining building to the west has recently been extended (WB//FULL refers). The first floor flat to that building now benefits from a roof terrace. PROPOSAL:The development sought for has been advertised as single storey rear extension to provide w.c. and storeThe proposal consists of: • A flat roof single storey rear extension to the commercial premises, new front entrance door to existing first floor flat, and various alterations to outdoor yard.RELEVANT PLANNING HISTORY: None

Consultations and Representations

Consultations/Comments

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:Borough Environmental Health contaminated land officer comments:-Standard Precautionary condition should be applied

Planning Assesment:

PLANNING ASSESSMENT: IntroductionThe principle planning concerns with this development is the principle of enlarging the commercial premises, its impact visually and neighbours (including occupiers of the first floor flat above the premises) and adjoining land-uses.PrinciplePPS4 instructs a positive approach to proposals involving commercial enterprise. The extension would assist in safeguarding the viability of the business, which, in turn, would help maintain the vitality of the shopping parade.Borough Environmental Health request a precautionary condition be imposed. However an informative is equally effective in making the applicant aware of this matter.Visual The new extension is of no

intrinsic visual or design merit. However its scale is, at least, proportionally correct. Further the doors are of a design and style in keeping with the building. Finally, the entire extension is hardly visible from public vantage point so the prevailing character and appearance of the street remains unaffected. For these reasons, justification to refuse permission on the basis of design alone cannot be substantiated.Occupiers, neighbors, and adjoining land-usesOccupiersCurrently access to the first floor flat is by the back entrance of the shop premises through the yard. This area is occupied by a series of out buildings and open so staff members walk past an open lawn area used by the occupiers.The extension would take up some outdoor space presently used as yard. However the applicant intends to create a purpose built lawn area that is semi-private in its nature. The immediate entrance to the fist floor flat would also become private and secure. Adequate storage would also be provided for trade waste.These improvements benefit of the first floor flat occupiers and overcome any negative impact arising from the lost of land to the extension.NeighboursBoth adjoining properties consist of residential accommodation at first floor with commercial premises below. The extension is single storey in height and flat roof, so its physical form would only 'peep' over present boundary treatments. As such, the degree of overbearing and overshadowing that would occur would not be unacceptable. The potential for overlooking is negated by the absence of any windows/openings in the flanks of the extension. Adjoining land-usesIncreased use of the outdoor area arising from the enhanced facilities could potentially result in more noise and disturbance to adjoining land uses. But the present situation allows for freedom of the use of yard for recreational purposes (a rotary drier was evident at the time of the site visit). As such, this development would not materially alter present circumstances to an extent as to unduly harm the amenities of adjoining businesses.ConclusionSubject to some precise control over the design of the outdoor area secured by planning condition it is considered, for the reasons set out in the previous paragraphs, there is no unacceptable impact upon identified amenities. Permission should therefore be granted.RECOMMENDATION:Approve subject to:1. Standard time limit2. Plans as approved3. Materials and finishes to match existing4. Notwithstanding "pd" windows/openings in flanks5. Flat roof not used for amenity purposes6. Lawn area to be enclosed by fencing treatment to be agreed7. Details of bike store serving flat to be agreed and relocated within flat's private corridor and retained thereafter8. Bin store for flat to be retained thereafter9. Shop waste to be retained thereafter10. Water butt, rotary drier, energy efficient lights all to be installed prior to occupation11. Hard surfacing be of permeable construction (to be agreed)+Precautionary contamination informativeREASONS FOR RECOMMENDATION:The proposal complies with relevant Development Plan policies.HUMAN RIGHTS: Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?
N/ADELEGATED Case
OfficerSign.....Date.....Authorising OfficerSign.....Date.....

Recommendation:

Approve, subject to the condition(s):

OR

Refuse for the following reason(s)

Reasons for Recommendation:

The proposal complies/conflicts with relevant Development Plan policies.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if refused, would have some impact on the applicant's Rights. However, it is considered that the harm caused by the development outweighs these and that in the public interest the application should be refused. Accordingly it is considered that this decision complies with the Human Rights Act 1998, with regard to Article 8 and Article 1

OR

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Is recommendation contrary to letter (s) of representation?

No/Yes/NA

DELEGATED

Case Officer
Sign..... [redacted] .....Date.....26-3-11.....

Authorising Officer
Sign.....Date.....