Development Control – Delegated Officer Report

Application Number: AWDM/1031/11 **Recommendation – APPROVE**

Site: **Private Car Park Opposite Marlipins Hall Middle Street Shoreham-By-Sea West Sussex**

Proposal: **Application for a new planning permission to replace ADC/0462/08 for 2 x two-bedroom flats (with rear balconies) over existing parking area**

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application seeks approval for the renewal of an unimplemented planning permission ADC/0462/08 for the construction of 2 x 2-bed flats. The site (maximum 8m wide and 14m long) is located within the Conservation Area and comprises a small private car park accessed from Middle Street, located behind the shops at No's 32-34 High Street.

The site is enclosed to the north by a single-storey pitch-roofed office building (No.1/2 Middle St); to the south is the flat-roofed rear store and yard area of the shops at Nos 32 and 34 High Street (a two-storey pitch-roofed building with an office/store at first floor level). This building has consent to be converted into 3 flats with a first floor rear extension (ADC/0379/09).

To the rear (east) of the site is an existing lean-to single-storey store which is currently used by estate agents (the applicant and owner of the site). Beyond this store to the east, is an elevated walkway which provides rear access to residential accommodation (Bank House) above Barclays Bank to the south east of the site; this walkway leads to a small patio area.

As before, the existing parking area would be retained for parking and enclosed by an up-and-over door. However, this parking area is not intended for the flats (other than for refuse and cycle storage); it is intended to continue to be used by the estate agent owners. The existing lean-to store on the rear of the site would be demolished. The flats are shown arranged over two levels above the parking area with a living room/dining room and kitchen on the first floor and two bedrooms and a bathroom on the second floor. Each flat will have private access via internal stairs from a front door on Middle Street. Each flat will have a balcony to the rear (east) of the building at first floor level, with access from the kitchen. Obscure glazed screens are to be erected on the north and south side balconies in order to protect privacy.

The proposed building is of a traditional 'Georgian' style with slate roof, lead clad dormers, sash timber windows, timber up and over garage door and

timber entrance doors. The building will have a dual pitched roof with a maximum height of 8.5 metres. The total depth of the building is 12.5 metres (including the balconies) and the maximum width 7.5 metres.

The application also includes details pursuant to the previously imposed conditions, thereby removing the need to re-impose all of the conditions should permission be renewed.

Consultations

West Sussex County Council – The County Transport Planning Officer has no objection subject to a section 106 Obligation requiring a sustainable transport TAD contribution of £1,170.

The County Archaeologist has approved the Written Scheme of Investigation.

Adur and Worthing Councils – The Environmental Health Officer has no objections. Precautionary contaminated land condition is recommended.

ADCAG – Approve

Representations

1 letter received from the occupier of The Bank House objecting on the following grounds:

- Overshadowing and loss of light
- Overlooking and loss of privacy
- Overbearing
- The application should be reconsidered in light of the permission to convert and extend 32-34 High Street

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AB3, AB4, AB11, AH2, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.2, 'Space Around New Dwellings and Flats'
Good Practice Guidance Note – Internal Space Standards for New Homes (ADC 2010)
Revised West Sussex Parking Standards and Transport Contributions Methodology 2003 (amended 2010)
PPS 1 'Delivering Sustainable Development' (ODPM 2005).
PPS3 'Housing' (DCLG 2006)
PPS4 'Planning for Sustainable Economic Growth' (DCLG 2009)
PPS5 'Planning for the Historic Environment' (DCLG 2010)
PPG16 'Archaeology and Planning' (DoE 1990)
PPG24 'Planning and Noise' (DoE 1994)

PPG16 'Archaeology and Planning' (DoE 1990)

Planning Assessment

Density and Character and Impact on Conservation Area

The proposed building would conceal a currently unattractive parking area and black-painted rear wall of the High Street shops whilst also making better use of land within a sustainable town centre location.

The proposed traditional design and materials would enhance the appearance of the site and in turn preserve and enhance the character of the Conservation Area. The scale and form of development is considered appropriate in this case. There are various styles, heights and design of buildings along this part of Middle Street; the proposed building would positively address and improve the street frontage.

It is not considered that the proposal would fail to preserve the setting of the medieval Marlipins museum, as the nearest listed building. Being on the opposite side of the road, the site does not have such a close relationship to the listed museum and the County Conservation Architect previously suggested that this type of design was an acceptable solution for the site in its overall context. The current proposal does not result in any change to the front elevation and the overall impact on the Conservation Area is therefore the same as previously accepted.

The north side elevation was originally shown to contain a large expanse of render with little other than a small window to add interest to the elevation. With the raising of the eaves at the rear, the extent of rendered wall is increased further. The applicants have therefore agreed to include false pitched roof lines within the render to give the impression of there being a dual pitched roof when viewed from the north. This is considered to add visual interest to this side of the building.

Residential Amenity

The site is mainly surrounded by non-residential office or commercial buildings. The main residential property potentially affected by this development is Flat 1, Bank House which is located directly above Barclays Bank at first floor level; above this, over a further two storeys, are No's 2 and 3 Bank House. Owing to the height of the flats on the second and third storeys, the distance from the development and its position north-west of the flats, it is not considered that there will be a significant impact on the residential amenities of these properties.

To the east of the site is a raised concrete walkway which leads from another car park to the north of the site across the rear of the site to the rear entrance of Flat 1 Bank House. This walkway is raised above the site and is a private access for sole use of the owner/occupier of this property. The proposed

building will back onto this access with the rear kitchen windows overlooking and balconies abutting the side wall of the walkway. Due to the relationship between the siting of No.1 Bank House and the site, there will not be direct overlooking but the use of the balcony area would result in loss of privacy to the private amenity space currently enjoyed by the occupier at No.1 Bank House. In order to address this issue, a 2.2m high obscure glazed privacy screen is shown to be provided on the southern boundary of the nearest property to Bank House. The conditions imposed on the previous permission also require a screen to the east elevation facing the walkway and this can be re-imposed here.

The side screen is glazed and will allow light to pass through to the balcony and to adjacent properties but will also provide some privacy between these properties. The side landing window should also be conditioned to be fitted with obscured glazing and permanently non-opening. The raising of the eaves results in a greater expanse of wall and a steeper roof pitch at the rear of the building. However, it is not considered that this will result in any significant harm to the adjoining occupiers. The overall height, depth and general form of the building remains unchanged. The level of the rear windows is also unchanged from the previous scheme. Two rooflights are proposed for the rear roofslope which are lower and larger than those shown on the previous scheme as they are to be used for escape purposes for the second bedrooms. Inevitably there will be an opportunity for views out of these windows but it is considered that as they face directly over a commercial building at the rear, and have only indirect views towards Bank House, there would be no significant loss of amenity to adjoining occupiers.

The granting of permission to convert and extend 32-34 High Street does not change the assessment of this case. Both applications have been assessed, with the latter application at 32-34 High Street considered in the light of the original consent at this site. The impact on 1 Bank House was taken into account and it was concluded that there would not be any significant adverse impact on their amenities.

As to the amenities of the future occupiers of the proposed flats, their main outlook will be to the front of the site looking west across Middle Street. To the rear, the kitchen and balcony area would be quite enclosed with limited outlook which will be restricted further by the privacy screens referred to above. However, this is considered acceptable and not unusual within town centres where residential properties and other land uses are closely juxtaposed.

The flats are to be two-bedroom units and could be suitable for families. While balconies alone may not provide sufficient external amenity space, it is considered unreasonable to expect a greater level of amenity space provision in a tight town centre location such as this. It is not felt therefore that refusal is warranted on grounds of lack of external amenity space or outlook to the rear of the site. It would be a matter of choice for potential purchasers as to whether they have a personal need for external garden space.

The floor areas of the 2-bed flats are 62 and 66 sqm. This means that one of the flats is 4sqm below the minimum floor area required by the Council's Good Practice Guidance Note. The size of some individual rooms is also slightly below the recommended areas. However, this application is seeking to renew an extant permission and, on balance, it is considered that an exception can be made on this occasion.

Access and Parking

No off-street car parking is provided for the proposed flats, as the car parking at ground floor level is still intended to be used by the existing business users of the private car park. The site is in the town centre within a highly sustainable location in close proximity to local services and public transport and, as in other cases where only a few units have been provided, it is considered that the lack of on-site car parking provision is acceptable. Cycle storage space is proposed. Again this would be a matter of choice for a potential purchaser. A TAD contribution of £1170 is required towards sustainable transport improvements in the area.

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing whilst also preserving the setting of the nearby listed building and enhancing the character and appearance of the Conservation Area. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB3-4, AB11, AH2, AH5)

Subject to Conditions:-

1. Standard time limit
2. Privacy screens to balconies to be provided
3. Cycle storage facilities to be provided
4. Temporary provision of parking, loading/unloading for contractors
5. Schedule of external materials
7. Archaeological investigation
8. Glazing on south side elevation of the building shall at all times be of obscure glass and fixed to be permanently non-openable
9. Provision of refuse and waste storage facilities
10. Approved Plans

Is recommendation contrary to any representations? Y

Case Officer signed: Peter Barnett Date: 22 February 2012

Authorised and signed by: [redacted] Date: 23/2/12