Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/0790/12

Site: **9 Broad Reach, Shoreham-by-Sea, BN43 5EY**

Proposal: **Change of use from a live-work unit to a single dwellinghouse (retrospective)**

Date of site visit: 06/07/12

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. 9 is one half of a pair of semi-detached properties, separated from the main block of live/work units to the south east. The property has three floors with (as approved originally) a car port and work area on the ground floor and living accommodation on the upper floors.

This application seeks retrospective permission for a change of the property to a solely residential use. Planning permission was granted earlier in the year for the change of use of No.8 for the same purpose (AWDM/0425/12).

Relevant site history

The property is restricted by virtue of Condition 35 of SU/216/02.

ADC/0419/07 – 1 Broad Reach – application refused for the use of the live/work unit as a separate office and residential unit

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)

Consultations

West Sussex County Council: No objection from a highways point of view. The proposal is to be situated in a sustainable location as the site is within walking distance of public car parks and has close links with the public transport network. The proposal would also not be anticipated to generate an increase in vehicle movements with respect to the current use, and the peak usage times would not be expected to coincide with peak traffic levels in this area.

If the LPA are minded to approve this proposal a condition securing cycle parking should be included.

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 application is supported by a letter from the applicant which explains that he has never lived there and has previously rented it out to somebody who ran their own business. However, since 2010 he has not been able to find a tenant and it has been let out instead to a couple who do not run a business.

The application for No.8 was supported by a Planning Statement which stated that there are at least 4 other live/work units in Broad Reach which are not complying with the use condition. It also 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.

It is considered that the same arguments are relevant to the current application. In addition, this particular property and its attached neighbour are physically separate from the main terrace of live/work units and are considered to have a different character to those other properties. Any application for the change of use of those properties will have to be considered on their individual merits.

On balance, it is 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.

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 existing parking space remains and the change of use has not resulted in any material change to the number of vehicular movements associated with the property. Cycle parking provision already exists and is unchanged.

Recommendation

APPROVE for the reason:-

The change of use from a live/work unit to a solely residential use has resulted 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 has detracted from the local environment, had a detrimental impact on employment provision in the District, or resulted 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:-

None

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

Case Officer: Peter Barnett Date: 26 July 2012

Authorised by: P Devonport Date: 27th July 2012