expires 23/9

Development Control – Delegated Officer Report

Application Number: ADC/0382/08 **Recommendation - Application Permitted**

Site: **177 Old Shoreham Road Southwick Brighton West Sussex**

Proposal: **Single-storey side extension and use of premises as restaurant and take-away (Classes A3 and A5); loft conversion to flat with front and side dormers; external rear staircase to firstfloor flat; and parking spaces at side with access alterations**

The Application

The application site is an end of terrace property with a Chinese takeaway on the ground floor and a flat above, located within a parade of shops and restaurants on Windmill Parade which runs parallel to Old Shoreham Road. The site lies on the corner of Hillside and Windmill Parade and presently has a hardstanding along the side of the building which is used for parking two cars.

It is proposed to construct a single storey flat roofed extension on the ground floor at the side of the property to form an enlarged takeaway and restaurant with new entrance doors. The extension will measure 5m wide and 15m deep to a height of 3.5m.

It is also proposed to convert the roofspace to enlarge the existing flat by forming two additional bedrooms. A dormer window is to be constructed on the front roofslope with rooflights at the side and rear. The size of the dormer has been reduced from the original submission to match the dormers on the adjacent property and measures 1.7m high. A dormer originally proposed for the side elevation has been removed following objections from the planning officer.

A rear external staircase access to the flat is also proposed, to run between the existing flat roof rear extension and proposed side extension, with a new entrance door and window on the rear elevation. A new crossover on to Hillside, leading to a new parking and delivery area at the rear, is also proposed.

Consultations and Representations

Consultations/Comments

West Sussex County Council – The County Transport Planning Officer has no objection to the proposals. The provision of two parking spaces is within the maximum standards for the use.

Adur District Council – The Environmental Health Officer has no adverse comments to make

EDF Energy Networks – No objection providing rights of access are maintained

Third Parties

No representations received

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, DEV1
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AS5, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development (ODPM 2005)

Planning Assessment

Policies

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AS5 relates to neighbourhood shopping facilities and seeks to retain a predominant shopping use within local shopping parades which are seen as valuable to local residents. Proposals for non-retail uses at ground floor will be treated on their merits.

Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and

help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity

The extension has been designed to continue the shopfront across a wider frontage. The front corner of the extension will be angled while the side elevation will contain 'shopfront' windows to add interest. It is located in a prominent corner position where a flat roof design of this nature would not normally be considered acceptable. However, a precedent for this type of development has been set at the other end of the parade (no.1 Windmill Parade) where a flat roof extension of similar size was added to the Rajah restaurant in 1996 (SW/7/96). That extension is set back from the main frontage and has more of a curved corner feature. However, it also has a blank side wall and it is considered that the continuation of the shop frontage and insertion of side windows into the extension at no.177 makes this current proposal acceptable in visual terms.

The front dormer has been reduced in size to match the adjacent dormers and now sits more comfortably on the roofslope, with good space to the ridge and eaves. The glazing has been designed to match the windows in the main building below. It is considered that the addition of a dormer to the front is acceptable in this instance because of the presence of dormers on the adjacent property and further along the parade.

Residential amenity

The extension will have no impact on residential amenity as it adjoins the street and the rear service area for the restaurant. The neighbouring residential property at the rear, 1 Hillside, is 22m away and will not be adversely overlooked by the rooflights or new doorway and staircase proposed at the rear.

The increased size of the premises and introduction of a restaurant use will increase activity at the property but, with appropriate control over the hours of opening, it should not result in any undue disturbance or nuisance. The existing opening hours of the property are from 9am to 10.30pm and an application in 2006 to extend the hours to 11pm Sun-Thurs and 11.30pm on Fri and Sat was refused over concerns at the potential to cause a loss of amenity late at night (SW/8/06). Rajah restaurant has similar opening hours.

Access and Parking

The alterations to the parking area and access have not caused any objections from West Sussex County Highway. Adequate parking is provided for staff but none for customers. However, there is considered to be adequate on street parking in the vicinity while a number of customers are likely to visit

on foot. Consequently, there is no objection to the proposal on highway grounds.

Recommendation

APPROVE for reason that :-

1PPi

Subject to

1. C1Ci
2. C8Bii
3. C12Ai " a schedule and samples of materials.."
4. This permission relates to the following schedule of plans: Location plan, existing ground floor plan PL/01, proposed ground floor plan PL/02, existing and proposed first floor PL/03 date stamped 29 July 2008 and proposed loft plan PL/04A, existing and proposed roof plan PL/05A, existing and proposed front elevation PL/06A, existing and proposed elevations PL/07A, PL08A date stamped 3 September 2008
   Reason – For the avoidance of doubt and because..... (as C14Aii) AH7, DEV1
5. ~~The opening hours of the premises shall be~~ between the hours of 9am and 10.30pm ~~every day~~ . . . .
   Reason – In the interests of amenity and to comply with Policy AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan

C14L

Case Officer. P Barnett Date. 9/9/08

17/9

6. Unless otherwise approved in writing by the LPA, the existing means of Ventilation for the extraction, filtration & disposal of cooking odours shall be retained & shall be maintained in effective working order ~~and maintained~~ in accordance with the Manufacturers specifications and operated at all times when cooking is taking place

   R. as C14O