Expiry Date - 29-02-2016

Development Control – Delegated Officer Report

Application Number: **AWDM/1805/15**

Recommendation – APPROVE

Site: **16 Brunswick Road Shoreham-By-Sea West Sussex**

Proposal: **Change of use from Use Class B8 (storage and distribution) to use Class D1 (non-residential institution) with external alterations to doors and air conditioning unit to south elevation**

Neighbours checked: Y
Additional neighbour notifications: /N

Proposal, Site and Surroundings

The proposal is for change of use to from B8 (storage and distribution) to D1 (meeting hall, as a place of worship and day care centre for the Bangladeshi-Muslim community.

The full details of how this will operate are provided in the application package. The suggested prayer and meeting timetable gives details of regular prayer meetings, a crèche and a meeting venue throughout the day, 7 days a week. During the week there are 7 activities proposed over the course of the day these include 5 prayer meetings lasting half an hour, a morning crèche for a couple of hours and the potential for afternoon meetings for half an hour.

Sound amplification equipment will be used during an extended session of Friday afternoon prayer from 12.30pm until 2pm (to account for Friday afternoon prayer times shifting between winter and summer months). An air conditioning unit would be installed on the front flat roof section, and the glazed front entrance would be altered.

The application property is a free-standing commercial unit at the end of a private drive, behind a shopping street in Shoreham town centre. A religious institution is to the south. Adjacent to the east is the east is a telephone exchange building. A terrace is adjacent to the west consisting of ground floor commerical uses with upper floor residential accommodation.

The site is within the Shoreham Conservation Area.

Relevant Planning History
None

Consultations (summarised)
Southern Water: *Add informative*

West Sussex County Council: *Considering its use as either B1 or B8 the change to D1 (Leisure and assembly) as a meeting hall for the Adur Bangladeshi Society to hold prayers has been considered. In both cases it is likely that the change of use will see a higher number of visitors to the site on a daily basis. In terms of trip generation, the site offers no off-road parking. As such any members visiting the site in a private car would need to find parking in and around the surrounding streets. Based on the submitted timetable the site could generate anything from 6 to 20 trips per prayer group.*

Regardless of how they travel to the site, all members would have to walk to the site using the existing footways. Overall the expected footfall to the site will be minimal (i.e. 8-10) people per prayer meeting. The largest group of 60 people are expected on Friday lunchtime. As the site is located behind the shops, and accessed via a footpath, any congregating of people before or after the prayer group are likely to occur off the public highway.

The site is considered to be in a sustainable location with immediate access to public transport. The applicant has also committed to encouraging car sharing amongst its attendees, and promoting the public transport options available. Cycle hoops if provided could encourage cycling to the prayer groups.

Adur & Worthing Councils Environmental Health: *no environmental health objections*

Representations
None received

Relevant Planning Policies and Guidance
National Planning Policy Framework para 14
Saved Adur Local Plan (1996) policies: AG1, ACS5

Planning Assessment

Principle

Saved Policy ACS5 states proposals to develop community facilities in the built-up area will be permitted. The National Planning Policy Framework supports opportunities for meetings between community members who might not otherwise come into contact with each other (para. 69).

The commerical unit has been vacant for some time. Vehicular access to the site is narrow and the lack of parking available on site makes future occupation of the unit for storage and distribution (B8) purposes less likely. As a stand-alone unit, the existing B8 use is not safeguarded in development plan policies.

Visual amenity and Heritage Assets

The exterior air conditioning unit is of modest scale and is to be stored inside an enclosure, with suitable exterior finish. This would avoid it being unsightly visually, on a building that makes very little positive contribution to the established character and

appearance of the Conservation Area anyway. The altered fenestration would be in character with the architecture of the host building.

The statutory test for new development in a Conservation Area is therefore satisfied.

Residential amenity – effect on existing dwellings

The neighbours principally impacted upon are those on the upper floors of the terrace to the west. Proposed comings and goings have the potential to create disturbance through noise.

However groups using the hall would congregate at the front of the building, away from these residents (the end terrace building is occupied by an estate agent on both floors).

The narrow passageway at the side is unlikely to be frequently used, perhaps only for deliveries. The windows in the side facing west are top hung and screened by a boundary treatment – intrusive overlooking and loss of privacy would be avoided. Their top hung openings would reduce noise transfer.

The sound system would be used for a relatively short periods of time. Windows/doors would be closed when it is in use, apart from at lunchtime when residents are unlikely be at home. Hall activities would be timetabled with restrictions on the people and times involved.

At the front of the building the air conditioning unit would be sufficiently removed from private habitable space to avoid vibration and noise nuisance.

Given this circumstance and existing backdrop of town centre living, expectations of future occupiers would be tailored to a degree of background noise and disturbance.

Parking and Accessibility

The Highway Authority has not raised objection to the proposal on highway safety and parking provision (to which there is none). There is no space on site for cycle hoops, as suggested by the highway authority.

A car park is situated 75 metres to the east of the application site, in easy walking distance. Shoreham train station is within 161 metres of the site, again in easy walking distance. Bus stops exist within these distances. This circumstance allows for realistic and reliable alternatives to private car journeys.

The applicant is willing to install notices in the premises of bus and train timetables to encourage non-car travel.

Recommendation

APPROVE

Subject to Conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

   Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

   Drawing titled OS MasterMap date valid 04-01-2016
   Drawing titled 1-500 date valid 04-01-2016
   Drawing No. 10731-1a titled Proposed Conversion B1 to D1 date valid 04-01-2016
   Drawing No. 10731-2 titled WINDOW/DOOR DETAILS date valid 04-01-2016
   Document titled Air Conditioning Product Information PKA-RP50HAL: Power Inverter Heat Pump R410A Wall Mounted System date valid 04-01-2016
   Agent's letter titled 16 BRUNSWICK ROAD, SHOREHAM Travel arrangements date valid 04-01-2016
   Document titled A typical weekly activities' chart for the proposed centre at British summer time. Prayer timetable is brought forward by 30 minutes for the winter, for example 8.30am to 9am slot will move to 8am to 8.30am date valid 04-01-2016

   Reason: *For the avoidance of doubt and in the interests of proper planning.*

3. Prior to occupation of the building for the use hereby approved the applicant shall publicly display up-to-date bus and train timetables inside the premises and these shall remain at all times.

   Reason: *To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with National Planning Policy Framework.*

   4. The hall hereby approved shall only be used between the hours of 8.00 am and 11.30 pm of the same day, every day, with the hall vacated of people by 11.30pm.

   Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

5. No sound amplification equipment shall be used inside the premises except between 12.00pm-2.30pm of the same day each Friday, during Eid prayers (9am-11am of the same day,

each day) and 9am to 5pm of the same day for funeral prayers.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

6. All doors and windows shall be closed at times when the sound amplification equipment is in use, except between 11am-3pm of the same day. No sound amplification equipment shall be used outside of the premises at any time. No music shall be played inside and outside of the premises at any time.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

7. No more than 60 individuals shall be present on the site at any time.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

8 The air conditioning unit hereby approved shall not be provided unless in strict accordance with the approved documents and not provided unless inside the associated enclosure. Thereafter the equipment shall be maintained to the approved manufacturer's specifications to achieve the specified criteria.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no air conditioning and/or external mechanical ventilation system (other than approved) shall be installed, erected or replaced on the application premises.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a place of worship and day care centre for the ethnic Bangladeshi-Muslim community within Use Class D1 as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to any representations? n

Case Officer signed: Matthew Porter Date: 29-02-2015

Authorised and signed by: Peter Barnett Date: 29 February 2016