Development Management - Delegated Officer Report

Application Number: AWDM/2172/21 Recommendation – Approve

Site: 1 - 3 Ham Road, Shoreham-By-Sea

Proposal: Change of Use from Chiropractors (Use Class D1) to 1no. 3 bedroom dwelling, including new rooflight to west roofslope.

Date of site visit: 20 January 2022

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a two storey building located on the north side of Ham Road. It is currently vacant, having previously been in use as a chiropractors' clinic. It is proposed to change the use of the building to a single 3 bedroom dwelling. Replacement windows and doors were originally proposed but were considered to be unacceptable due to UPVC being proposed and these have been removed from the application, with the exception of a proposed new rooflight.

The site lies adjacent to a car repair garage to the west and a dwelling to the east. The police station is opposite to the south with the railway station to the north.

The site lies on the edge of the Shoreham Conservation Area and is within a Primary Shopping Area.

Relevant Planning History

SU/359/78 - Change Of Use From Shop And Flat To Dwelling House

SU/26/82 - Change Of Use From Dwelling House To Shop On Ground Floor With Residential Flat Above

SU/261/04 - Change Of Use From Shop (Class A1) To Chiropractic Clinic (Class D1)

AWDM/0929/21 - Change of Use of ground and first floors from Chiropractic Clinic to Office (Use Class E) - withdrawn

Consultations

West Sussex County Council: The Highways Authority comments that ilt does not seem that the site is currently, or will be, provided with any dedicated

off-street car parking provision. As such the highways consideration for this application are limited to general trip generation and the impact towards on street car parking. A 3-bed dwelling in this location would be anticipated to attract the demand for 2 car parking spaces. This would need to be accommodated on street. However, consideration needs to be given to the existing use, 101 sqm D1 use, which would likely on average have attracted a similar parking demand to that of a 3-bed dwelling at any one time. It would be noted that the actual trips associated with the proposed use would likely be lower than the existing use. It would be concluded that any net impact towards on-street car parking would be immaterial. It would be beneficial if a secure and covered cycle store could be provided. While the site is constrained this does seem possible, the plans and details of which could be secured via a suitably worded planning condition. The Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Adur and Worthing Councils: Public Health: There are no EH objections in principle, but given the location of this property to the garage, road and railway station a noise assessment and acoustic scheme will be necessary. This can be conditioned.

Private Sector Housing: No objection in principle, but a door should be installed between the lounge and hall to allow for basic fire protection

Planning Policy: The premises lie within the Town Centre boundary and within, but on the very edge of the Primary Shopping Area. One one side, within the Primary Area, lies a motor repair business and on the other, a residential property. Due to these neighbouring uses, and its location near to a junction, the premises seem slightly dislocated from the main retail areas of the town centre. I understand it has been vacant since at least May 2021. Its last use was as a chiropractor.

Policy 11 of the Adur Local Plan 2017 sets out retail policies for Shoreham; this site lies within block 2 where A1, A3 and appropriate D1 uses are generally sought. National policy supports the role of residential uses in town centres. Given the location of this unit on the very edge of the primary retail area, I believe that the loss of these premises to residential use will not undermine the health and vitality of the town centre area. Given this and the fact that it remains vacant, there is no policy objection.

ADCAG: Approve

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 2, 11, 17, 20, 27, 34
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
Technical Housing Standards – nationally described space standard (DCLG 2015)
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats

Planning Assessment

Principle

The site lies within the Conservation Area where development must preserve and enhance the character and appearance of that area. The retention of original features or, where this is not possible, their reinstatement with appropriate materials and the removal of unsympathetic features will be sought.

The site is also within the Primary Shopping Area where the following uses will be acceptable at ground floor level, subject to compliance with other relevant policies: A1 (shops), A3 (food and drink) and appropriate D1 (non-residential institutions) uses where there is a long term vacancy (normally a minimum of 1 year) and reasonable attempts have been made to sell or let the premises for A1 use. Any other uses will be resisted.

The Use Classes Order has been amended since the Local Plan was adopted and Class A uses have been amalgamated into a new Class E which also includes sport, medical, nursery, office and light industrial uses.

Being on the edge of the primary shopping frontage, off the main Brunswick Road parade, and previously being a non shopping use (although a policy compliant D1 use), it is not considered that the loss of the building to residential use would be harmful to the overall character and shopping function of the area. The site immediately adjoins a terrace of residential units and the use would not be out of character. It should also be noted that the building was in residential use in the 1970s.

Visual amenity

The proposal no longer includes the replacement of existing windows or other external alterations other than a rooflight to the west roofslope.

The rooflight will be acceptable subject to it being of a conservation style and this can be secured by condition.

Residential amenity

The proposed dwelling will sit on the edge of a commercial area, adjacent to a garage and a railway station, where there is the potential for noise disturbance to future occupiers. Public Health have requested that a noise assessment and acoustic protection scheme are submitted and this can be secured by condition.

The proposed dwelling will have 3 bedrooms with an overall floor area of 101.5sqm which meets the National Standard for a 3 bed 5 person house.

The garden area is small though at only 2.6m deep and there is only limited amenity space, well below the Council's standard. The houses to the east also have relatively small rear gardens and, taking into account that the site was formerly a house and that it is not always possible to provide outdoor space for town centre dwellings, on balance it is considered that this substandard garden area is acceptable in this case.

Parking and Access

The site has no parking currently and this will be the case for the proposed use. WSCC Highways do not have any concerns in this sustainable location but have asked that cycle storage be provided. It may be possible to provide this within the small outdoor space and details can be secured by condition.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Noise assessment and acoustic protection measures to be submitted and implemented
4. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
5. Rooflight to be conservation style
6. Removal of PD Classes A-E

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

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.

Case Officer: Peter Barnett Date: 17 March 2022

Authorised by: Gary Peck Date: 17 March 2022