Expiry Date – 19/11

Development Control – Delegated Officer Report

Application Number: AWDM/1457/18 Recommendation – Refuse

Site: 1 Windmill Parade, 163-183 Old Shoreham Road, Southwick

Proposal: Extension of garage to west elevation and conversion to residential unit with associated cycle and bin storage.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 8/11

Site and Surroundings

This application relates to a two storey end of terrace building on the north side of Old Shoreham and the corner of Overhill in Southwick. The property is part of a commercial terrace with the ground floor occupied by an indian restaurant and the upper floor a self contained three bedroom flat. The restaurant at ground floor has been extended to the side with a curved fronted flat roofed extension which extends along the back edge of the pavement beyond the original rea wall. A single storey rear extension has also been added.

The site has a detached garage and store behind and there is a small patio area between it and the rear of the restaurant. The garage adjoins an access road to at least two other garages to the rear of Windmill Parade commercial properties.

Land rises up from Old Shoreham Road into Overhill such that bungalows in Overhill, a wholly residential street, are on higher ground. On the opposite corner fronting Old Shoreham Road is a more modern two storey flat roofed Mitsubishi car showroom and garage with showroom parking on the both road frontages and garage access off Overhill.

The site is not in a conservation area and is not listed. It is in Flood Zone One and is susceptible to surface water flooding.

Proposal

Permission is sought to extend the front of the garage by 3.295 metres and to convert the extended building into a studio flat. A window is proposed in the front west facing wall together with the front door. Three rooflights are shown in the flat roof over the bedroom area, kitchen and bathroom. Cycle and bin storage is shown to the south of the building adjacent to the restaurant patio area.

Relevant Planning History

AWDM/1456/18 - Construction of first floor extension to west elevation with dormers to north, south and west elevations to provide 2 additional residential units including new, relocated flue, for restaurant. Pending

SW/27/03/TP - Single-Storey Rear Extension To Restaurant Kitchen & Staff Bedroom/Ensuite WC In Roofspace With Side And Rear Dormers. Granted 24.9.03

SW/7/96/TP - Change Of Use Of Remainder Of Ground floor To Take-Away/Restaurant; Front And Rear Single-Storey Extensions; And Alterations (Incl. External Stairs, Etc). Granted 25.3.96

SW/11/95/TP - Change Of Use From Shop (Class A1) To Hot Food Takeaway (Class A3) (Closing Earlier Than 11PM). Refused 27.3.95

SW/1/95/TP - Change Of Use From Shop (Class A1) To Indian Hot Food Takeaway (Class A3). Refused 6.2.95

SW/66/82 - Change Of Use To Separate Shop For Sale Of Pets And Petfood (Retention Of Extension Without Complying With Condition 3 Of Permission SW/90/80/TP). Granted 22.11.82

SW/49/82/TP - Bedroom - En Suite Bathroom And Two Dormer Windows. Granted 1.9.82

SW/90/80/TP - Alterations And Extension At Side (To Enlarge Retail Sales Area Etc.) And Lean To Extension On Garage At Rear (For Cold Store & General Storage). Granted 8.12.80

SW/205/77/TP - Extension And Wall. Granted 2.12.77

SW/157/77/TP - Stores For Shop. Granted 18.10.77

Consultations

Southern Water

'Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO212SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface

water disposal in the order
a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".'

Technical Services

The proposed site is situated in flood zone 1 but is predicted to suffer from surface water flooding.

The proposals for draining the site are appropriate, I would just point out to the applicant there is a small risk of surface water flooding and to incorporate preventative measures as necessary.

Highways

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

The Local Highways Authority (LHA) has observed the plans provided by the applicant. The existing plans demonstrate the garage space does not meet WSCC standards for a single garage space. The internal garage dimensions currently measure 2.55m x 5.44m, WSCC standards for a single garage space are 3m x 6m. Therefore this would not be considered an existing parking provision.

The hardstanding fronting the garage measures 5.36m deep, this would currently accommodate a single vehicle off of the highway. The proposed extensions to the garage to provide an annexe would see the loss of this off street parking provision. The proposal would generate the requirement for a single parking space alone, along with the existing demand from the Host dwelling and A3 use.

From observation of the local highway network, extensive parking restrictions and junction protection are enforced along the length of Old Shoreham Road Service road and Overhill, the roads in which this property is accessed.

On street parking is in practise approx. 120m north of the junction between Overhill and the service road. The LHA are not aware of any capacity issues within this portion of Overhill. The LHA will only consider the impact of overspill parking from a safety perspective; matters of amenity would be a matter for the consideration of the Local Planning Authority. While it is likely that some overspill parking may occur it is not considered that this would be detrimental to highway safety and key locations in the public highway are subject to enforceable parking restrictions.

Any illegal parking could be dealt with as an offence under Section 22 Road Traffic Act 1988 – (leaving vehicles in a dangerous position on the road including verge) and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway.) Both of these acts are enforceable by Sussex Police.

A regular bus service operates along Old Shoreham Road, allowing alternative transportation to Steyning, Shoreham by Sea and Rottingdean where further links can be made for commuting further afield. Secure and covered cycle parking is proposed and should be sealed alongside any permission of the proposal. Southwick Railway station is a 5 minute bicycle ride from the site and offers transportation for commuters further afield.

Conclusion
The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 109), and that there are no transport grounds to resist the proposal. Should the LPA be minded to approve this proposal, the following should be sealed via condition.

Cycle parking
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 submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Health:

No objections.

.

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018
Adur Local Plan 2017 Policies 1, 2, 3, 12, 15, 20 and 36 including adopted Development Management Standard No. 1 'Space Around New Dwellings and Flats' and No. 2 'Alterations and extensions'.

Planning Assessment

Principle

The principle of developing a separate unit of residential accommodation here, within the built up area boundary can be supported. For consideration is:

i. the quality of accommodation to be created,
ii. the impacts of the proposals on the character and appearance of the area,
iii. Impacts on neighbour amenity and
iv. parking

Quality of Accommodation

The Department for Communities and Local Government's Technical housing space standards of March 2015 sets out the minimum floor areas for new units of residential accommodation. A 1 bedroom, one storey dwelling suitable for occupation by a single individual should have a floor area of 39 square metres. A two person unit should have a minimum floor area of 50 square metres.

This proposed studio, shows a double bed. It has a floor area of 39.13 square thus just achieving the one person standard only.

The studio is to be created by extending an existing garage/store behind a restaurant. A front extension will allow the provision of a front window and entrance door providing the only outlook from the unit. It will sit 2.07 metres back from the pavement edge.

The studio does not include flank windows. It would be 2 metres from the back edge of the restaurant kitchen door and window. Between the two, and against the studio wall, would be the bin storage areas for the restaurant, the first floor flat above and the new unit. Cycle storage is also shown in this area for all users of the site, including the parent building. The restaurant patio area is also alongside.

On the north side is an unmade up access road to at least two garages belonging to other commercial units in Windmill Parade.

Given the proximity of this proposed unit of accommodation to other commercial uses it is considered that the living conditions of future occupiers would be poor. They would

be exposed to noise and disturbance from users of the restaurant, the cycle store, bin store, neighbouring garages and the access road and from activity on Overhill itself.

The unit is not provided with any private outdoor space contrary to adopted Development Management Standard No. 1 'Space Around New Dwellings and Flats'. A small detached dwelling, such as here, should have a minimum garden of 85 square metres, although flat developments should have a minimum of 20 sqm per flat. Para 3.7 describes the space required for ground floor flats and says 'it is generally advisable to provide for individual amenity areas. For an area to be included as an amenity area it must be a usable space (i.e. dustbin enclosures etc. would not be included) and should be at last 3m in width.'

Character

The existing garage and store is set back more than 5 metres from the pavement edge and sits with other garages. They provide a physical and evident break between the rear of commercial properties fronting Old Shoreham Road and the bungalows in Overhill. Nonetheless the existing building relates to Overhill as it faces on to it.

Bringing this garage forward by 3.3 metres would intrude into Overhill. Converting it to a flat roofed residential unit, or bungalow, would be entirely anomalous in the streetscene in its form, context and lack of design features and landscaping. It would be an opbvious, incongruous addition to the streetscene. It would have none of the character of other bungalows in Overhill. Adpted Adur Local Plan policy 15 states:

'Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

Development should: ·Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development; · Include a layout and design which take account of the potential users of the site; · Incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment; · Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;

This proposal is of very poor architectural quality. Its appearance and character will not enhance the local area. It would not make a positive contribution to the sense of place or to local distinctiveness. The layout and design does not take account the amenities of potential users of the site.

Neighbour amenity

The existing garage is separated from No. 2 Overhill by the garage access road between the two. No. 2 sits on higher ground. There are no flank windows in No.2 and none proposed in the studio building. The existing building already sits slightly forward

of No. 2, the entirety of the extension will project further forward. However, given the separation distance and the rising ground level it is not considered that the physical works to extend this building will be harmful occupiers of No. 2. Otherwise the extended building is to the rear of the restaurant and away from other Windmill Parade properties.

There is also no reason to suppose residential occupancy of this extended building will cause harm to neighbours.

Parking.

There is no off street parking proposed with this application. Cycle parking is shown. Nearby bus routes are available to Brighton or Worthing and Southwick train station is within a 15 minute walk. On street parking restrictions would prevent dangerous parking in the area.

Recommendation REFUSE for the following reason:

The proposed studio would be out of character with the pattern, form and design of development locally and would provide cramped accommodation and a poor living environment for future occupiers due to noise and disturbance from adjoining uses and a lack of outdoor space. It is therefore contrary to policies 15 and 20 of the Adur Local Plan, Development Management Standard No. 1 'Space Around Dwellings' and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 29/11/18
Authorised and signed by:	Peter Barnett	Date: 29 November 2018