Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**

Site: **10 Fishersgate Terrace, Southwick, Brighton, West Sussex BN41 1PH**

Proposal: **Change of use from B1 office to 2-bed flat.**

Date of site visit: 14 February 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a two storey end of terrace property on the south side of the A259. The building comprises a vacant B1 office (security firm) on the ground floor with a flat above. The premises were formerly known as The Kings Head PH.

Relevant site history

ADC/0305/09 - Change of use from public house (use Class A4) to offices (Class B1) – approved February 2010

Consultations

West Sussex County Council: No parking is proposed at the site and waiting restrictions are in place along this part of the A259. The proposal is 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; therefore we would not have any significant concerns with a nil parking provision. The proposal would also not be anticipated to generate an increase in vehicle movements with respect to the existing office 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 application a condition securing cycle parking should be included.

Adur & Worthing Councils: The Environmental Health Officer recommends that the habitable rooms on the north side are protected from traffic noise through double glazing and forced air ventilation.

The Contaminated Land Officer recommends that the full contaminated land condition is imposed. **(NB – this is for a change of use only and does not involve any groundworks. An informative will therefore suffice)**

Health and Safety Executive: Does not advise against the granting of planning permission

Representations

None received

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space Around New Dwellings and Flats' and No. 4 'Flat Conversions'
South East Plan (GOSE 2009): CC1, CC6, BE1
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The site is not identified for any particular purpose within the Adur District Local Plan. The proposal will result in the loss of an office but will form a small residential unit. The Government has recently announced its intention to relax permitted development rights to enable such changes of use without the need for a planning application.

The supporting statement states that the property has been marketed as a commercial unit since May 2012 with no interest shown for its continued use as an office. Subject to usual planning considerations there is not considered to be any objection in principle to this change of use.

Visual amenity

The proposal will result in the removal of one of the windows on the road side (north). This will have the benefit of reducing traffic noise and improving privacy for future residents. In visual terms it is not considered to unduly harm the appearance of the building. The only other external change will be the removal of the signage on the north elevation.

Residential amenity

The proposal is for a 2 bed flat with a floor area of over 90sqm (not including the basement), which comfortably meets the Council's standard. The building sits very close to the busy A259 and traffic noise could be detrimental to amenity. The EHO has suggested use of double glazing and forced air ventilation to improve acoustic protection and this can be reserved by condition. The removal of one window will also reduce noise to a bedroom.

There is only a limited outside space at the rear comprising a thin area of hardstanding before the site drops vertically to the Harbour below. This fails to meet the Council's Standard and could be a reason to refuse the application. However, the adjacent houses, Nos. 12 and 14 also have very limited outdoor

space and it is considered that an exception can be made on this occasion as it will not be significantly worse in amenity terms than its neighbours.

Parking

The site has no parking, in common with the other properties in the terrace, but is located close to bus stops and a railway station. Cycle parking can be provided at the rear of the property. West Sussex Highways have no objection to the proposal as the proposal would not be expected to generate an increase in vehicle movements compared to the existing office use.

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH9) or the policies of the South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Standard 3 year time limit
2. Materials to match existing dwelling etc
3. Protection from noise
4. Permission relates to approved plans
5. Cycle and bin storage details

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Contaminated land

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

Case Officer: Peter Barnett Date: 18 March 2013

Authorised by: Gary Peck Date: 22 March 2013