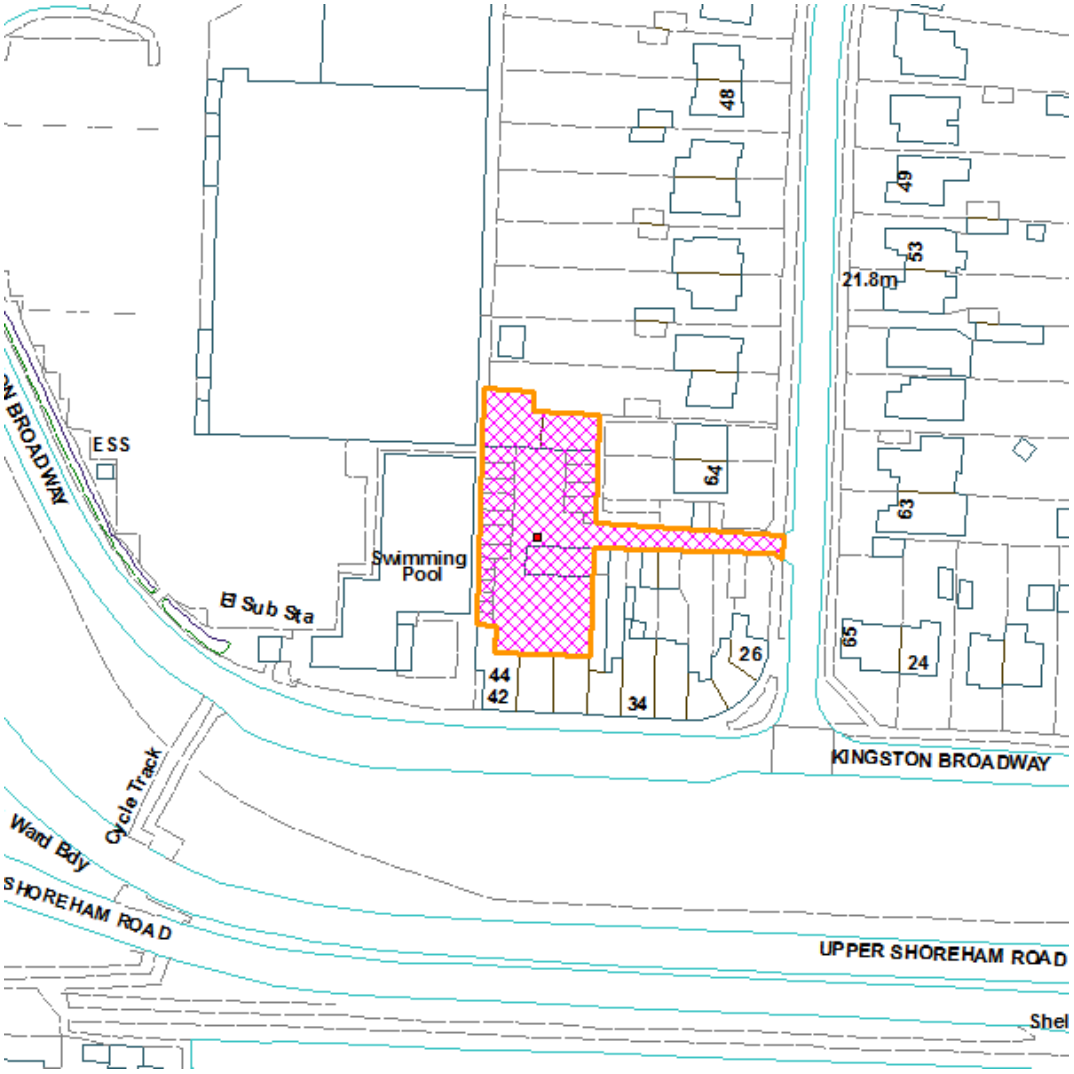
Application Number:	AWDM/0030/25	Recommendation - Approve
Site:	Garage Compound Rear Of Kingston Broadway Hawkins Road Shoreham-by-sea	
Proposal:	Demolition of existing commercial yard and garages and proposed redevelopment of site to provide 5no. 3 storey residential dwellings with parking	
Applicant:	Budsull Partnership Limited	Ward: Hillside
Agent:	Inception Planning Limited	
Case Officer:	Peter Barnett	



Not to Scale

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Proposal, Site and Surroundings

The application site is a backland site which is accessed via a private road off Hawkins Road. It is currently vacant and contains a number of garages and was formerly in use as a car repair yard and MOT station.

The site is surrounded on all sides by existing development. To the north and east are the rear gardens and houses in Hawkins Road. To the south is a three-storey block of shops with flats over (Kingston Broadway) and to the west is Wadurs swimming pool and the Next retail store.

It is proposed to remove the garage buildings and to redevelop the site to provide 5no. 3 bed dwellings on three floors within two blocks. The ground floor contains an integral garage and bedroom/office. The first floor contains two bedrooms and bathrooms/en-suite, with an open plan kitchen/living area on the top floor with west facing terrace. The building has a three storey, contemporary form with a gabled front and rear with a series of dual-pitched roof slopes. The layout plan shows the building running north-south along the western boundary, abutting Wadurs pool. In addition to the 5 integral garages, 8no. surface parking spaces are shown along the eastern and southern boundaries, plus a further 2 no. spaces for existing businesses/residents in Kingston Broadway.

The buildings measure 10m tall with a mix of external materials including grey horizontal cladding, brown vertical cladding, brickwork and aluminium panels, interlocking concrete tiles.

Planning permission was granted in 2022 for a similar development and that permission remains extant until 12th November (AWDM/0607/22). The main differences between the current application and the original permission relate primarily to changes to the design and layout of the proposed buildings.

Relevant Planning History

SU/196/03 - Redevelopment With Two-Storey Block Of 8 One-Bedroom Flats & 17 Parking Spaces (Outline With Access & Siting Details) - application refused

SU/249/04 - Redevelopment With Two-Storey Block Of 8 One-Bedroom Flats & 17 Parking Spaces (Outline With Access Details) - application refused and appeal dismissed

ADC/0737/07 - Redevelopment with 4 one-bedroom flats and 2 two-bedroom townhouses with integral garages, with associated parking for flats at No's. 44 A-D Kingston Broadway (outline including access details) - application refused and appeal dismissed

AWDM/0607/22 - Demolition of existing buildings (B1 and B8) and construction of 5no. two bedroom Live/Work mews dwellings - approved

Consultations

West Sussex County Council: The Highways Authority has no objection.

Access and Visibility
The site is located off Hawkins Road, a 'D' classified road subject to a speed restriction of 30 miles per hour. The access takes the form of vehicle crossover access (VCO) of 3.9 metres width from Hawkins Road which also serves the neighbouring properties along the way. No alterations are proposed to the existing access arrangements. Upon inspection of the WSCC maps, in accordance with Manual for Streets standards, visibility splays of 2.4m x 43m are achievable along both sides of Hawkins Road.
Personal Injury Accident (PIA) Data
An inspection of data supplied by WSCC by Sussex Police over a period of the past five years reveals that there have been no incidents of personal injury accidents (PIA) reported near to the site access.
This indicates the site access has been operating in a safe manner in its present form with no known concerns relating to road layout or geometry.
Sustainable Transport Accessibility
The site is situated in a sustainable location within walking/cycle distance of local services and amenities. The well-lit footways along both sides of Hawkins Road connects onto wider footway network. The site is within walking distance of public transport services, with regular buses available from nearby Upper Kingston Lane and Kingston Way. Southwick train station is located approximately 1.5km southeast of the site which provides local and wider area transport connectivity.
Parking and Internal Layout
In accordance with WSCC's Residential Car Parking Provision Tool there is a requirement of 10.5 vehicle parking spaces. The scheme proposes provision of 10 nos. spaces. The Highway Authority agrees that the proposed car parking spaces are adequate for the site being in a sustainable location. Safe and secure bicycle parking provision is made within garages. Delivery and servicing are carried out on site using the turning head within site and exiting in forward gear.
Trip Generation and Highway Impact
The nationally recognised TRICS database has been interrogated to derive trip rates to compare the vehicular trips associated with previous use of site as slow fit garages and self-storage units and the current use as a residential scheme. The residential scheme is estimated to generate 1 fewer trip each in the AM and PM peak hour and 16 fewer vehicular trips during the whole day. Therefore, the Highway Authority does not anticipate a material intensification of vehicular trips that would negatively impact on the operation of the local highway network.

Adur and Worthing Councils: Public Health: No objection

Subject to conditions to secure the noise mitigation strategy set out in the acoustic report and the plant noise recommendations, plus a CMP condition and the full contaminated land condition.

Surface Water Drainage: No objection subject to conditions

Southern Water: Require details of foul sewerage and surface water disposal by

condition.

Fire and Rescue: To be reported

Representations

3 letters of objection received from the occupiers of 60, 62A, 64 Hawkins Road:

- Overdevelopment
- Overlooking and loss of privacy
- Obscure glazing of second floor windows needed
- Mature evergreen trees needed along boundary plus new fence
- Increased parking congestion
- Hawkins Road already congested with school traffic and shop visitors
- Inadequate parking on site
- Garages likely to be used for storage not parking
- Poor visibility at point of access onto Hawkins Road
- Risk to highway safety
- Damage to access road
- Increased noise disturbance and dust during build
- Should be restricted to private single dwellings and not used as HMOs
- Asbestos survey needs to be carried out
- Daylight and sunlight assessment is out of date and does not reflect current layout at 60 Hawkins Road
- Difficult for fire appliance access

Letter from 44B Kingston Broadway:

- No objection but the existing parking bay is part of lease & therefore should not be included in any calculation of available parking spaces within the new development.
- What plans does the developer have to stop people using private parking bays?
- Existing shed also needs to be retained.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 2, 3, 15, 18, 19, 20, 22, 25, 28, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Demonstrating Genuine Redundancy of Employment Sites (ADC 2019)
National Planning Policy Framework (December 2024)
WSCC Guidance on Parking at New Developments (Sept 2020)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that

the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The proposal will see the loss of a commercial garage business and is arguably contrary to Policy 25 of the Local Plan which seeks to protect existing employment sites.

Policy 25 states:

"the conversion or redevelopment of land or buildings, currently or last in class B1, B2 or B8, for other uses will only be approved where:

(ii) It can be satisfactorily demonstrated that the site or premises is/are genuinely redundant and that no effective demand exists or is likely to exist in the future to use the land or buildings for B class uses. This should include the length of time the property has remained vacant, the attempts made to sell/let it, and the demand for the size and type of employment premises in the area.

Where part (ii) of the above criteria has been satisfied, a mix of uses will be considered. Employment generating uses should be considered as part of this mix of uses. Complete loss of employment uses will only be acceptable where it has been demonstrated to the satisfaction of the Local Planning Authority that partial employment use cannot realistically be achieved."

In this case, the site is no longer in use but has not been marketed. Whilst the loss of the approved live-work use of the ground floor is a departure from policy 25, it is a material consideration that the previous commercial use was considered to be unneighbourly, through noise, activity and parking congestion, and inappropriately located. Its replacement with dwellings would result in a more neighbourly use for the area. Furthermore, there is a greater tendency for home working in recent years, and the proposed dwellings include space identified for this. This also needs to be balanced with the Council's need for increased housing delivery due to a current lack of a 5 year housing land supply and the inappropriate nature of the location for future commercial uses.

On balance, and taking into account the extant permission for predominantly residential uses on the site, it is considered that the redevelopment of the site in this manner can be supported in principle, subject to the usual other planning considerations which are discussed below.

Visual amenity

The site contains a mix of storage buildings, hardstanding and car parking and has little visual benefit to the area, even in its relatively secluded backland position. The proposal would clear the site and provide a development of more substantial height and bulk. However, its design would be akin to a mews development and its contemporary form and appearance is considered to result in an enhancement of the area.

Landscaping is proposed to soften the parking area and overall appearance and to introduce some greenery where there is currently none. Hedge planting is shown along the eastern boundary with the houses in Hawkins Road.

It will be 0.5m taller than the previously approved scheme and has more of a three storey form, as the previous design had a two storey design with a sloping roof at the front. At the rear it had a three storey appearance but with a flat roof form which was not considered to be as successful in design terms as the current pitched roof/gable form.

It will be almost 3m taller than the Wadurs building and the top floor with balconies and roof will be visible from the west. However, it will be viewed in the context of the Wadurs building and the taller Next store to the north and it is not considered that it will have an intrusive or harmful appearance. As already mentioned, it is considered to have a better appearance than the approved scheme from 2022.

Residential amenity - for proposed occupiers

The dwellings will have a floor area of 112m2 which exceeds the nationally described space standards for new housing (99m2 for a 3 bed 5 person dwelling over 3 storeys).

A 15m2 ‘rooftop garden’ is provided in the form of a west facing terrace which will have views over the top of the Wadurs roof.

The top floor gains light from the rear via the patio doors and glazing within the gable above the doors. Being open plan on the top floor allows light from the gable glazing at the front to also reach the living area. The first floor windows are smaller and serve bedrooms and bathrooms. They will gain light as the Wadurs roof reduces in height closest to the boundary. The ground floor rear window will receive less light and will have a limited outlook, but this area is shown as being a bedroom/office plus garage.

The northernmost unit will have its outlook partly obscured by the taller Next store but it is considered that sufficient light and outlook will still be obtained over the lower Wadurs roof. This has been demonstrated in an Internal Daylight Assessment submitted with the application. The assessment calculates the Average Daylight Factor (ADF) and recommends minimum values of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. All rooms at all levels pass the ADF and Daylight Distribution calculations.

A Noise Assessment has been submitted which assesses noise from roof plant and traffic. It found that noise from plant at Wadurs and Next was largely inaudible and that distant road traffic was the dominant noise source. It found that an acceptable acoustic environment was being provided and that noise ingress was not at a level which would prevent windows from being opened at night for cooling. Background ventilation through MVHR is to be provided. The Environmental Health Officer is satisfied with the findings subject to conditions.

While it is acknowledged that the proximity of the dwellings to the neighbouring commercial buildings to the west is tight, the building has been designed to ensure that sufficient light, outlook, amenity space and noise protection is achieved and it is considered that a reasonable standard of amenity will be provided for future residents.

This mews style development with balconies to provide outdoor amenity space rather than conventional houses with gardens is considered to be an appropriate form of development in this location, making effective use of previously developed land by providing five residential units. The proposal complies with paragraph 125 of the NPPF which gives “substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.”

Residential amenity - for existing residents

There are houses to the east in Hawkins Road which back onto the site. The separation distance between the existing and proposed dwellings will be 24m, as with the previous scheme. The proposed building will have three storeys, as before, but it will have a more obvious three storey form compared with the previous scheme which, when viewed from the front, was effectively two storeys, due to the roofslope at the front containing obscure glazed rooflights serving the top floor.

While the current scheme has a more overtly three storey form, the top floor does not have any windows at the front other than high level windows under the eaves within the gable which provide light rather than outlook. The Council’s guidance as set out in DM Standard No. 1 requires a minimum of 22m between two storey buildings and slightly more for three storeys, around 28m, in order to retain sufficient privacy. In this case, as the only windows with an outlook serve a bedroom to each unit on the first floor, the 24m distance is considered reasonable. A small landing window can be required to be obscure-glazed.

The building is 0.5m taller than the previous scheme and with a greater vertical form. However, rather than an unbroken terrace of five units as approved, the current scheme shows two blocks of buildings with a space between. Furthermore, the new roof design has pitched roofs and valleys to provide gaps at roof level.

The building sits to the north of the flats above the shops in Kingston Broadway at a distance of 11.8m. The Council’s guidance recommends a separation distance of 14m where the rear of one building faces the side of another. However, the windows of the flats are set back from the edge of the building by an external walkway approximately, thereby resulting in 13.5m separation.

A Daylight and Sunlight Assessment was submitted with the application which found:

“It can be seen that the Visible Sky Component for most of the assessed windows at the 26 – 44 Kingston Broadway properties, comfortably pass the required BRE criteria. There are 6 windows that fall below the guidelines. The 6 affected windows are located under a deep overhanging balcony, and are additionally covered by pillars attached to the walkway.

For the Annual Predicted Sunlight Hours and the Winter Predicted Sunlight Hours all windows are predicted to meet BRE guidelines. It is important to note that APSH and WPSH assessment, according to BRE methodology, are not required for windows which have northern or predominantly northern exposure, however, it has been performed and wherever possible, achieved values have been tabulated.

Overall, the proposed development is predicted to have minimal impact on daylight availability of properties situated on 26 – 44 Kingston Broadway.”

Light to the affected flats is already reduced by shading from the external walkway and the development is not expected to reduce that light further. The closest part of the building to the south, which projects along the western boundary of the site contains a stairwell only and is not affected by this proposal. While there is a slight shortfall in the Council’s standard, there are no side windows in the proposed building and sufficient light and outlook will be maintained for existing residents.

The Assessment also found that light to the rear windows of the houses in Hawkins Road is not adversely affected by the proposal.

It is acknowledged that the development will have more height and mass than the previous scheme but at the distances involved it is not considered that it will be overbearing or materially affect light and outlook for existing occupiers in Hawkins Road. The outlook will be improved to some extent by the removal of buildings that currently sit immediately on the rear boundaries with those dwellings. New fence and hedging is proposed along the boundary with Hawkins Road, plus additional landscaping, to provide a softer outlook and to screen the proposed car parking spaces which abut that boundary.

The removal of the commercial garage use will also improve the amenity for residents through the cessation of potentially noisy activities and the removal of overspill parking on Hawkins Road.

Accessibility and parking

The site is accessed off Hawkins Road and no change to the access is proposed. 13 parking spaces are proposed (5 garage spaces, 8 surface spaces) plus 2 “third party” spaces for existing residents/businesses in Kingston Broadway. The site is situated in a sustainable location within walking/cycle distance of local services, amenities and public transport services, with regular buses available from nearby Upper Kingston Lane and Kingston Way. Southwick train station is located approximately 1.5km southeast of the site which provides local and wider area

transport connectivity. Cycle parking is proposed within the garages.

The proposal is considered to provide adequate parking and there are no highway objections to the proposal.

With regard to the comment of one resident, two spaces and two storage sheds are retained on site for use by existing residents.

The Fire Service has been consulted on the suitability of the access and their comments will be reported.

Flood risk and Drainage

The site is located within flood zone 1 and is at low risk from flooding. Areas adjacent to the site are at risk of surface water flooding and a surface water flow path is present over the access to the site. Surface water run off is to be attenuated on site and discharged into the combined foul sewer by re-using an existing on site connection. Surface water run-off will be restricted to 5l/s. This approach was previously accepted in 2022 as it offered betterment by reducing the surface water run-off rate by 50%. The introduction of planted areas where there are currently none will further help.

Final details will be required to be submitted by condition but there are no objections in principle from the Council's surface water drainage consultants or Southern Water.

Sustainability

A number of sustainability and energy efficient measures are proposed. MVHR is proposed for all dwellings to provide low energy ventilation and reduced heating demand through heat recovery. PV panels are proposed for each dwelling, plus internal ASHPs and water saving measures.

Contaminated land

The site is potentially contaminated and an assessment of the underlying ground conditions is necessary to determine if any pollutants are present. An appropriate condition is to be imposed to ensure this is carried out.

Ecology and biodiversity net gain

The site is considered to be exempt from the mandatory BNG requirements because the development does not impact any habitat on site and is therefore 'de minimis development' for the purposes of calculating BNG.

Recommendation: Approve, subject to receipt of comments from the Fire and Rescue Service,

Subject to conditions:-

1. Approved Plans

2. Standard 3 year time limit

3. Construction and Demolition Management Plan

4. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours, Saturday 09:00 - 13:00 Hours, Sundays and Bank Holidays no work permitted. Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works

5. Details of surface water drainage to be submitted and agreed prior to commencement

6. Surface water maintenance

7. Foul drainage

8. Contaminated land

9. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the plans

10. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the plans

11. External materials to be agreed

12. The development hereby permitted shall be carried out in full accordance with the recommendations of the Environmental Noise Assessment and all works which form part of the approved scheme shall be completed before the permitted dwelling is occupied. Following completion of the scheme and prior to occupation, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise

13. Details of sustainability measures, including location of ASHPs and details of any external ducting, to be submitted and approved prior to installation

14. Landscaping details to be agreed

15. Balcony screens shall be erected in accordance with details to be submitted and approved in writing by the Local Planning Authority prior to first occupation and shall thereafter be retained.

16. Obscure glaze first floor front landing windows and side rooflights