Expiry Date - 17/11/2011

Development Control – Delegated Officer Report

Application Number:
AWDM/0686/11

Recommendation – Approve Application

Site: **70 High Street Shoreham-By-Sea West Sussex BN43 5DB**

Proposal: **Change of use of firstfloor from employment agency to a one-bedroom flat (with firstfloor rear extension with Juliet Balcony) and change of use of groundfloor shop (Class A1) to employment agency (Class A2)**

The Application

The application relates to this ground floor A1 Art Gallery and first floor B1 Employment Agency, located on the north side of the road, within the Conservation Area of the Town centre. The site sits within a varied and mixed multi use locality where there are a number of A1 – A5 uses on ground floor level being served by the passing trade in High Street, with Offices and residential flats at first floor level.

Permission is sought for the change of use of the ground floor of the premises to A2 Employment Agency, and for the conversion of the first floor into a self contained, one-bedroom flat, by erecting an internal partition, allowing for access to the first floor. The residential accommodation would have a first floor extension to an already existing rear projection. The extension would be on the east side, and would be 1.65m in width, and 4.4m in length. The extension would also have a pitched roof centrally located above the enlarged rear projection. The flat would have a rear staircase enabling access to an amenity area. A small area would be sectioned off of the existing rear yard for the use by the employment agency.

The adjacent buildings to the east and west are all of commercial character at ground floor level, with a number of different styled rear projections of both single and two-storey height. To the north are generally the rear gardens and yards of premises and dwellings which are located in West Street and Ship Street.

A former application ADC/0052/11 for a similar conversion to a two-bedroom first and second floor maisonette (with front and rear dormer windows) and ground floor employment agency, was withdrawn on 31.03.11 after officer concerns were raised regarding the mass and bulk of the proposed extensions, and the proposed living conditions of the proposed residential accommodation.

Consultations and Representations

West Sussex County Council: The Highways Officer states that the one-bedroom self-contained flat would drop below the threshold where a TAD

contribution would be required, and that the proposal would not be anticipated to have a negative impact on highway safety in this location. Cycle parking should be secured by condition.

Adur District Council: The Environmental Health Officer states that in the absence of any noise assessment it is fair to assume that the noise from the High Street is likely to put the property into a NEC C, based on other noise assessments in the locality. I would therefore advise that a condition be placed on any permission granted requiring a forced air ventilation system and acoustic glazing for the living room facing the high street, details of which should be submitted and approved prior to installation. The High Street is an AQMA due to elevated levels of nitrogen dioxide, thus any air intake for the forced air ventilation should be from the rear or the roof of the building. Pollution levels fall as you move away from the road, thus by having the air intake as far away from the road as possible you can ensure cleaner air is entering the building.

Environment Agency: No objections.

Adur District Conservation Advisory Group: No objection.

Third Parties: There has been one letter of objection to the proposals from the occupier of the maisonette to the west (No.72b), who states that they are concerned about a loss of privacy, as it will overlook their home and increase noise. Also there is already a shortage of parking in the area which is increasingly becoming over-developed.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan (ADC 1996): AG1, AB4, AH2, AH5, AS1, AE6.
Development Control Standard No.4 'Flat Conversions', and Good Practice Guidance Note ' Internal Space Standards for New Homes'.
Revised West Sussex Parking Standards (WSCC 2003 & ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG13 'Transport' (DTLR 2001)
PPG23 'Planning and Pollution Control' (ODPM 2004)

Planning Assessment

Principle of change of use
The emphasis of the relevant Local Plan Policies which relate to the Town Centre areas is for regard to be had to retain the character, viability and vitality of the shopping areas concerned (AE6), and that any development which results in the loss of shopping provision does not detract from the character and vitality of the area (AS1). Proposals should not result in the loss of amenity to nearby residents, and that any development is of a scale and design, including construction materials appropriate for the locality.

The site is located within an area of the town centre where most of the premises which have frontages onto High Street are Use Class A1 or A3. The proposals would result in the use changing to an employment agency which is classified as A2 (financial and professional services). Whilst this particular use does not rely so heavily on passing trade as much as a retail or restaurant use, it is a common type of use class within other parts of the town centre. For example there are a number of banks and estate agents within East Street and Brunswick Road. The proposals will result in the retention of the existing shop window and side entrance door, which will ensure that the character of the conservation area will remain unchanged, and as such the viability of the premises to revert back to A1 at a later stage will not be compromised. It is therefore considered that provided the shop window remains un-obscured by display or internal sub-division that the proposed change of use would be acceptable in principle and therefore it complies with the above policies.

Proposed residential accommodation

Policy AH5 states that there will be a presumption in favour of the supply of dwelling units for small households (such as single persons etc), however in implementing this policy there will be regard to the desirability of a mix of dwelling types. AH2 requires that redevelopment does not have an uneighbourly effect on existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space, it incorporates adequate standards of residential amenity for the new dwelling in terms of open amenity space etc.

The proposals would result in a first floor one bedroom flat of 40sqm, this is a considerable amount below the 51sqm suggested in the above Good Practice Guidance Note, however the flat itself is only slightly substandard in terms of the individual rooms sizes required. The proposed living, cooking and eating area would be 18.3sqm as opposed to the 22sqm required; the bedroom would be larger than the 12sqm required at 13.3sqm, and the bathroom is of a moderate 5.3sqm. The proposals would allow for a cycle cupboard and recycling 'blue box' store in the landing area which would be 1sqm, and a provision of a rear yard with additional refuse storage of 15sqm has also been designed into the scheme with the amended plans.

The building footprint is of a particularly small design, and as a consequence the conversion of the upper floor into a one-bedroom flat which complies with the Council's internal space standards would require either an even larger rear extension, or for the applicant to extend into the roof space. The withdrawn application (ADC/0052/11) attempted to do this, (albeit with a two-bedroom flat), and it was considered that the impact on the appearance of the building and as a result the character of the conservation area, would not be acceptable.

As described above the site is located within a mixed character area, where there are a number of other examples of residential dwellings at first floor level in the vicinity. It is considered that as the proposals would provide accommodation for a single person or couple, and that adequate storage for

cycles, refuse and recycling would be provided, that, on balance the conversion would not be so detrimental to the character of the area that would warrant refusal on the basis of it being of substandard size.

Visual amenity
A proposed scheme to convert to a first floor flat has been withdrawn on one occasion due to the resultant unsympathetic roof extensions, those have now been eliminated from the scheme, and now the amended proposals will have a gable ended pitched roof rear extension that is considered to be sympathetic to the appearance of the building, and to the character of the surrounding conservation area.

Residential amenity
The objector's property is directly to the west of the site, and has a steel staircase which extends from the rear of the building's first floor to the small yard. Other windows in the vicinity from the rear of adjacent premises and dwellings have views over this yard, however the proposals will result in a pair of doors with full height sidelights in a location where no overlooking previously occurred, directly from the east. The overlooking from the doors/windows in the north elevation would be relatively oblique, however they could be direct at the point where the occupiers step out to access their own rear yard via a similar stair arrangement. It is therefore considered .that notwithstanding details submitted on the amended plans which show an obscurely glazed screen to the east, that the rear access should not be used unless and until appropriate screening is erected to the west of the stairs, also to prevent loss of privacy to the windows and rear yard of No.72b.

The proposed extension would extend the existing rear projection to the east, adjacent to the boundary with the attached dwelling flat at first floor level. The proposed extension would be 4.4m in length adjacent to the boundary and would leave a window in a recess. The window does however have views over its own rear projection which is at a lower level, and has an eaves at mid point up the window allowing for light and outlook towards the NE. It is therefore considered that given the town centre location where a more built up appearance is to be expected, that the impact from the proposed extension on the outlook from the adjacent window would not be so bad as to warrant refusal.

Highway safety
The site is located within Shoreham Town Centre, in close proximity to public transport in the form of Shoreham Train Station, and local bus routes which run along High Street. The applicant has identified the issue of not having a side or rear access to the outdoor amenity space and has provided an area for a cycle or buggy store within the flat itself. The outside yards could also accommodate bicycle and other types of storage. It is not considered that off street parking would be required in such a sustainable location. West Sussex County Council Highways made no objection to the former withdrawn application for a two bedroom flat.

Flood risk
The site sits outside of flood zones 2 and 3 and it will therefore not contribute to placing a more vulnerable type of development and occupier at risk. The Environment Agency made no objection to the former withdrawn application for a two bedroom flat.

Recommendation

APPROVE for reason that :-

The proposed conversion of the first floor into a self-contained flat would result in a small unit of accommodation that does not comply with the Council's Good Practice Guidance Note ' Internal Space Standards for New Homes', however it is considered that the unit of accommodation provided would be similar in size to those in the vicinity which would therefore 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. The proposals would therefore p[reserve or enhance the character or appearance of the Conservation Area and would accord with the relevant saved policies of the Adur District Local Plan (AG1, AB4, AH2, AH5, AS1, AE6).

Subject to:-

1. Standard 3 year time limit.
2. Proposed materials to match.
3. The self-contained flat hereby approved shall not be occupied unless and until a forced air ventilation system and acoustic glazing for the living room facing the High Street are installed. The details of which shall be submitted to and approved in writing by the LPA.
4. Cycle parking shown on the plans to be provided and retained.
5. Shop window serving the employment agency not to be obscured by applied signage, display or internal subdivision.
   Reason: *In the interests of amenity and to retain the viability and vitality of the commercial part of the Conservation Area and to comply with saved policies AB4 and AS1 of the ADLP.*
6. Notwithstanding the details of screening showed in the approved plan 359/01 Rev B, the access staircase at the rear of the flat shall not be used unless and until an obscurely glazed screen 1.8m in height is erected on the east and west side of the landing.
   Reason: *To prevent overlooking.*
7. This approval relates to the following plans.
   Drawing No: 359/01 rev B. Date Received: 07.11.11.

Case Officer: Carlos Hone Date:
Authorised by: Date: 6/12/11