Expiry Date – 12/7 eot agreed to 16/8

Development Control – Delegated Officer Report

Application Number: AWDM/0776/19 Recommendation – Grant

Site: **8 Fishermans Walk, Shoreham**

Proposal: **Application to vary condition 01, (Approved Drawings) and variation of conditions 5 (external materials) and 7 (landscaping) of previously approved AWDM/1868/17. Amendments include: Revisions to elevations and layout and submission of details of external materials and landscaping.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 21/6

Site and Surroundings

This application relates to land on the north side of 8 Fishermans Walk within its curtilage. This land is open fronted and includes a pair of garages on the rear boundary accessed from Fishermans Walk. The site is bounded to the north by a low wall which abuts the Brighton Road pavement. There is no vehicle access on to Brighton Road from Fishermans Walk but pedestrian access and access for cyclists is available at the head of the road. A pedestrian access from Brighton Road also exists from the north west corner of the site by the Brighton Road bus stop which gives access to a passageway serving the back gardens of 6, 7 and 8 Fishermans Walk.

The site is not in a conservation area and is not listed.

The site is in tidal flood zone 3 but not prone to surface water flooding.

Proposal

Planning permission is sought to vary the design and layout of a dwelling approved in March 2018, a contemporary style two storey curved ground floor house with a larger oblong upper storey.

The changes proposed to the design amount to a squaring off of the western end of the ground floor wall. Rooflights are proposed on the south elevation and the north side balcony is enlarged. Fenestration details are altered. It also includes the introduction of a study at ground floor in place of a utility room.

A schedule of materials has been submitted together with landscaping details.

The applicant has withdrawn a proposed variation of Condition 4 (noise report) following objection from Environmental Health to his proposed re-wording.

Relevant Planning History

AWDM/1868/17 – Demolition of existing double garage and erection of detached dwelling on land to north with associated landscaping and two parking space. Granted 27.3.18

AWDM/1503/13 – Two storey side extension. Granted 9.1.14

AWDM/0606/13 - Two storey side extension and replacement porch (existing garage removed). Refused 25.7.13, Appeal Dismissed

Consultations

Health:

'I object to this application to vary condition 4 of permission AWDM/1868/17.

As the records will demonstrate I objected to the original application AWDM/1868/17 as no acoustic assessment had been submitted with the application. The development was adjacent to the A259 a busy A road and in my view it was necessary to protect the future occupants from excess noise.

As the records show, James Breckall in his e-mail to me dated 22nd January 2018 advised that he could provide an acoustic assessment or submit an assessment subject to conditions. He now appears to be backtracking on his initial assurances.

The scheme required to protect the proposed noise sensitive development from noise from the road needs to be based on good evidence, which should include noise measurement. In my previous e-mail correspondence with Mr Breckell, I have advised the type of acoustic assessment needed for this purpose (ProPG: Planning and Noise) and the noise objectives to be achieved. Environmental health are not going to agree any scheme based on unqualified guesswork. See Planning Noise Advice Document Sussex for further information on this matter https://www.adur-worthing.gov.uk/media/media,121802,en.pdf'

Highways:

'West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been consulted on variation and removal of conditions secured under approval AWDM/1868/17 (detached dwelling and parking spaces).

From an inspection of the amended plans it would appear that an additional car parking space is proposed to the front of the dwelling, a licence from the WSCC Area Engineer would be required to also drop the kerb in this location to allow access to the space. No highway safety or capacity concerns to the proposed amendments. The Local Planning Authority should make the applicant aware of the informative previously advised, whereby the Area Office should be contacted for a licence to drop the kerb.'

Technical Services: '*Condition 3 relates to Surface water disposal – there are no changes proposed to this condition - therefore I have no comments.*

Drainage is still to be in accordance with the FRA.'

Environment Agency:

'We have no further comments to make regarding the amended plans, and would refer you to the comments in our previous response (our ref: HA/2017/120030/02, dated 22 January 2018).'

Representations

One representation from No. 7:

1. Access to 7's rear garden needs to be maintained.
2. Is there going to be any lighting at the back as the access will be darkened.
3. Clarification is required on the parking at the head of the road outside the site. The applicant thinks this is a turning area and not for parking.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Adur Local Plan 2017 Policies 1, 2, 15, 20 including 'Development Management Standard No.1 'Space Around New Dwellings and Flats'.

Planning Assessment

Principle

The principle of development can be supported as it proposes amendments to a previously approved scheme.

The ground floor is to be brick with the upper floor timber clad and the roof clad in zinc.

Neighbour amenity

The proposed development has no greater impact on neighbours. The general dimensions are largely the same with the same distances to all boundaries. Parking is as approved.

The fenestration changes are not significant to neighbours. Two enlarged west side windows will overlook the front garden or blank flank of 161 Brighton Road. The rooflights on the southern elevation are small and above head height. They will not overlook No. 8, the parent building. Enlarged windows in the front (east wall) cause no greater effect to neighbours. The north side enlarged balcony look onto the Brighton Road.

An existing rear passageway which currently serves 6, 7 and 8 Fishermans Walk and possibly 161 Brighton Road is shown to be retained. This gives access onto Brighton Road for rear servicing purposes. WSCC has confirmed that none of the site edged in red or the low northern wall are in public ownership.

Design/Streetscene

The approved house is nothing like the immediate vernacular or elsewhere for that matter. Squaring off the ground floor rear wall does weaken the overall concept but not to such an extent that refusal is justified.

Flood Risk

The plans have been revised to introduce a study at ground floor in place of a utility room. The Environment Agency originally asked for a condition that no habitable rooms are at ground floor, the original approved layout included a utility room and bathroom at ground floor. The new layout includes a study at ground floor. The Environment Agency has not revised their comments. However, it is recommended that a study is acceptable at ground floor but that this room must not be used for sleeping purposes. A condition is recommended.

Highways

The Highway Authority is content with the revisions.

Materials – condition 5

The schedule of Materials submitted is acceptable:

Walls (timber cladding): European Larch cladding
Brickwork: Vandersanden group – 156 Highbury light brown brick with a light grey joint. Bond to be a stretcher bond except on the curved corners when only headers are to be used to form the corners. https://www.vandersandengroup.co.uk/bricks/en-gb/highbury
Windows: UPVC with a grey external colour
Roof: Zinc

Landscaping – condition 7

Parking areas are to be shingled otherwise the frontage and rear garden will be laid to lawn with stepping stone pathways. Two olive trees are proposed in the rear garden. These are acceptable hard and soft landscaping details.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. In accordance with FRA
4. Acoustic assessment
5. Materials to be as set out in schedule

6. Parking provided
7. Hard and soft landscaping as per drawingJB 395/building regulations 05A
8. PD restricted
9. No new windows
10. The rear passageway serving the backs of 161 Brighton Road, 6, 7 and 8 Fishermans Walk and the new dwelling shall remain open and unobstructed in perpetuity.
11. Notwithstanding the details of the agreed Flood Risk Assessment the ground floor study shall at no times be used for sleeping purposes.

Informative

1. 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.

2. Precautionary Contamination
3. PFA
4. Vehicle crossover License

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 13.8.19
Authorised and signed by:	Peter Barnett	Date: 13 August 2019