# Development Control – Delegated Officer Report

**Application Number: AWDM/1611/15** **Recommendation REFUSE**

**Site:** **6 Mill Hill, Shoreham-by-Sea, BN43 5TH**

**Proposal:** **Two storey front and side extension, detached double garage with glass balustrade, retaining walls and extended forecourt (part retrospective).**

**Date of site visit:** 01.12.2015

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Site and Surroundings**

The existing topography of the land was considerably higher than the highway, the existing dwellinghouse being some 3 metres higher than the highway, with the land sloping down towards it. A swath of land, to the south of the existing vehicular access was well landscaped with shrubs and trees and ground cover. The earth slope at the frontage made a sudden drop by approx. 1 metre at the point where it met the highway.

The land of the application site is lower than no. 8 to the north, and where the existing double garage is situated, this could be readily viewed, and photographic evidence shows, that the bank of land to no. 8, directly abutting the shared double garage is some 1.5m high to the north side and where the land abutted the south side of the double garage i.e. the application site, it was approx. 800mm in height. The land continued to rise up to the existing dwelling, making a height of some 3 metres above the level of the highway.

The site directly abuts no. 4 to the south, which also has land higher than the highway by approx. 1m at the front, and then rises higher the deeper into the site. Its front land is mainly laid to lawn and had shrubs and trees onto the boundary with no. 6, which thereby provided screening to no. 6.

However, the applicant for no. 6 Mill Hill has already undertaken an engineering operation to the land, and has removed the vast majority of soil at the front of the dwelling, indeed land has been removed even up to a close position to the existing dwelling, leaving a walking strip of about 1m wide around the side of the existing front garage up to the entrance of the dwellinghouse, and have put down scaffolding boards to walk on and erected scaffolding to the side of the boarding, to act as a balustrade to hold on to.

Doing a rough calculation based on the block wall that has been constructed as a retaining wall, the applicant has removed in excess of 256 cubic metres of land. The cubic capacity removed will in fact be greater than this figure, as there are sections of land higher than the newly constructed retaining wall

which has been used to make the cubic capacity calculation. The removal of land has created a very large front hardstanding area, and denuded the front of the site of soil and landscaping.

The site and surroundings, are also flagged up as an ‘Amber’ ‘Archaeological Notification Area’

**Proposal**

The proposal seeks to extend the existing property by increasing the height of the main dwelling and providing a 2 storey extension to the south.

The ridge height of the dwelling will be increased by approx. 700mm and the width would be increased by some 2.8m. The eaves will be raised on the extension side to approx. 4.6m a 700mm increase from the north side. The overall length of the dwelling (excluding the original shared garage to the front of the property), will remain the same at 26m

This transposes as an increase to the ground floor to the front (west) by 1.8 metres to the existing entrance door and to the side (south) of the existing lounge, by 2.81 metres. The existing statement chimney to the front of the dwelling will be lost in order for this extension to take place. A new entrance door/lobby will be created, at the front, and a new room to the corner, south west position of the dwelling. Behind this new corner room, will be a further room which will be fully open to the east, this has been named a loggia on the plans. The only entrance to this loggia will be via the lounge internally or externally via the open side. Other than the narrowing of the window to the ‘salon’, there will be no change to the ground floor fenestration.

The first floor extension will again be to the south and west only, and will increase the overall area of bedroom 1 and 2. Bedroom 1 will also gain a dressing room and an en-suite. The increase in dimension will be 2.81 metres to the side (south) and 1.8 metres to the front (west). Like the ground floor, other than the enlargement of the bedrooms, there will be no other change to the layout of the first floor.

Because of the elevated position of the existing dwelling, the apex of the dwelling from the street level will be some 10.3 metres in height.

To the front of the dwelling, is proposed a new double garage, this garage will be on the approx. the same level as the street. Its roof will double up as a balcony area for the occupants of no. 6. Glazing safety panels will be put around the 3 outside edges of the new garage. The external dimensions of the garage are shown to be 6.4 metres long x 5.98 metres wide, its height, including the safety panels, will be 4.35 metres. Given the fact that the dwelling is situated on higher land than the street level, the position of the proposed garage, at the street level, will thereby mean that it will be in a lower ground floor position.

The area directly forward of the proposed front extension, is indicated on the plans, to be a hard surface area, as will be the area adjacent to the side extension. Both of these hard surfaced areas will continue into/onto the garage roof area, all becoming a useable space for the occupants and visitors

of the application site, in this elevated position of some 3m above the highway level.

The new flight of stairs, of unspecified material, but likely to be concrete, will lead up to the entrance door of the dwelling, and will be located between the existing front lounge extension and the proposed garage. Between the new stairs and the existing lounge and proposed garage, will be a series of Gabions, Gabions being galvanised metal cage boxes, filled with stones, often large beach pebbles and large stones, to act as ballast, their original use being for civil engineering, road building, or military applications and landscaping. The Gabions will be stacked one on top of another to form a 'decorative' wall feature, and the application also appears to stack them in diminishing heights so as to give the illusion of a stepping slope, which they refer to as a 'cascade'. On some of the plans additional Gabions are also indicated to the front section of the site, namely to the side of the Gabions which are next to the entrance flight of stairs, resulting in three abreast next to the existing front garage. However, these Gabions are not indicated on all of the plans. Another inconsistency of the plans is that the proposed garage is referred to as an existing wall; this wall did not exist until built without planning permission recently. Gabions will also be used for the front boundary wall. However, what is clear is that other than a very small section between the existing garage and the front lounge, the whole of the site frontage, from the existing dwelling forwards, appears to be of hard surface materials in one way or another. Some of the plans indicate planting within pots introduced to the top of some of the Gabions.

**Consultations:**

***West Sussex County Coun***cil: The Highway Authority has raised no objection commenting:

*"Mill Hill is 'D' classified and subject to 30mph speed restriction. It is not likely that vehicles would be exceeding the speed limits in this location and the nearby highway network is lightly trafficked.*

*The double garage does not meet the required dimensions of 6m x 6m. This can be secured by condition. The forecourt will improve facilities for further parking and for turning on site so that vehicles can exit in a forward gear.*

*The site has been visited and although the new wall for no. 6 is higher than no. 4's wall, it is set back from the carriageway, whereas no. 4's wall abuts the carriageway. It is therefore the Local Highway Authority's opinion that neither the new wall, nor the neighbouring land, impinges on visibility when exiting the site."*

The County Archaeologist raises no objection on archaeological grounds to the proposals, commenting:

*"There are no known archaeological sites within the application area. Presently unknown buried archaeological features, if present, are likely to have been damaged to some extent previously, during wartime landscaping associated with ant-invasion defences on Mill Hill. On the scale of most*

*downland archaeological sites, the recent front of the application area are not expected to have caused new damage of major significance."*

***Adur & Worthing Councils:*** The Council's Engineer comments that there are no surface water sewers in the area and Mill Lane suffers considerably from surface water runoff issues.

Surface water from the development MUST be disposed of by means of soakaways. Under no circumstances should the site shed water onto Mill Hill as this will lead to increased risk to residents further down the Hill and discharging surface water to the foul network in that location is illegal.

It is advised that the applicant needs to assess if the use of soakaways is viable on this site. The proposed location for the soakaway will need to be more than 5m from existing or new structures, and there will need to be a soakage test undertaken at that location to ascertain if a soakaway will adequately empty. The only place this can be sited is under the driveway therefore unless the applicant can demonstrate how and where the surface water is being discharged from these works the only option is to remove the tarmac and have a rethink.

**Representations**

2 letters of objection have been received summarised as follows:

- Mill Hill is a very green leafy area and no. 6 has excavated the entire frontage destroying all plants and foliage and felling two 20' trees to make room for garage and 9 parking spaces.
- No visibility splays to highway as no pavement.
- Stark appearance, showing little sympathy for a very green area.
- Gabions do not screen the parking.
- Gabion blocks not appropriate for the area, more appropriate for the beach. Close to National Park and therefore garden design should be in keeping with and sympathetic to this locality.
- 2 no. large, healthy trees were felled to make room for the car parking.
- The retaining wall built (retrospective), is overbearing (approx. 2m high).
- Assume finishes of the extension will match the existing as no finishes are stated on the drawing.

**Relevant Planning Policies**

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings' National Planning Policy Framework (CLG 2012).

**Planning Assessment**

***Principle***

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and the proposed development that conflicts should be refused unless other material considerations indicate otherwise.

***Visual amenity***

Mill Hill is situated on rising land which journeys onto the downland, and the area within the South Downs National Park, and is characterised by green sloping land. Mill Hill has properties facing onto it the highway, with many on elevated positions with front raised landscaped garden land, and hedge frontages.

Both travelling up and travelling down Mill Hill, the application site, even with the pre-existing vehicular access and forward shared garage, visibly contributed to the landscaped vista of the street, and rolling land within its frontage, as it had plants, shrubs and trees within a swath of its raised, front garden area.

The loss of this land and topography levels, will dramatically affect the visual amenities, not only of the existing site, and immediate neighbours, but also beyond, affecting the visual amenities of the wider locality, to its visual detriment.

Further, the introduction of a total hard surfaced, levelled, frontage area will result in an alien intrusion into the well landscape locality, to its visual detriment.

The immediate neighbours will also be compromised by the loss of the landscape and land levels. No. 4 to the south, had frontage land of a comparable level to the application site, now that no. 6 has removed the land, no. 4's land has no safe barrier to the neighbouring land. Before the removal of the land, the boundary had shrubs and landscaping and some fencing. The removal of land has resulted in the close demise of the existing landscaping, including a tree. The fencing too has generally been broken up. This effects the visual amenities of no. 4 as its frontage is their main amenity area, and thereby they will have no landscape buffer to prevent, or to soften the visual aspect of the proposal.

The two storey extension to the south and west will bring the whole of no. 6 to a closer proximity with no. 4, which will result in overbearing and overlooking of no. 4, to its detriment.

No. 8 is not so demonstrably affected as no. 4, as they have a large rear amenity area. However, as they share the drive frontage, and indeed half of the existing front garage, plus, their land is elevated over no. 6, they will be visually witnessing the demise of the landscaping frontage. The extensions to

no. 6 will be to the south and west, and thereby they will not unacceptably affect no. 8.

Further, the resultant two storey extension will bring the whole house, to approx. 1.3 metres from the side boundary with the neighbouring property. This will bring the built form of the dwelling to virtually fill the whole width of the site. The scale and mass of the dwelling will be overly dominant within the site, and coupled with the land that has been raised to the ground at the front of the site, will result in a stark built form on the site, totally alien to the green landscaped vista of the locality.

***Residential amenity***

The main properties directly affected by a loss of existing residential amenity will be the immediate neighbours to the application site, namely no.'s 4 and 8. The effect of the total loss of land levels and landscaped area of the frontage of the property will undoubtedly result in harm onto these two properties.

The topography of no. 4, to the south, has a raised frontage area starting at approx. 1m where it meets the highway, and rising to approx. 2.2m nearer to the chalet bungalow. This land has shrubs and trees on its direct boundary with the application site. The already undertaken engineering work that has removed the soil frontage, has endangered the shrubs/trees, indeed, it is understood that as a result of the works taking place, it has damaged the tree roots to such an extent, the tree had to be removed. Other damage to the shrubs is clearly viewed on site, where it can be seen that many have been irretrievably damaged and or lost. There is also visual evidence of damaged/broken fencing. Another tree closer to the site frontage, has had all its branches sawn off, leaving just a trunk.

This main front area of no. 4, is a lawned area, which because of the fact that the rear area behind the property is quite small, is the main amenity area. With the loss of the boundary screening, the privacy of this area has clearly been compromised. Further, it is difficult to see how any fencing can be put in place on this boundary, given that when striping out the land, a channel has been left between the two properties, which has not been infilled.

Moving on to the physical extension to the dwelling, the proposed two storey, side extension will terminate at some 1.2 – 1.3 metres from the side boundary with no. 4, and will have a glazed 'weather screen' at this close point. The weather screen glazing will be 7.46 metres in length x approx. 2.4 metres in height. The result of this will be that the neighbouring site will be directly overlooked. This could have been softened had the boundary screening been left in place, but even with landscaping; the close proximity of the two storey extension would still be unacceptable. There is some block walling on the boundary, but it is not considered to afford total protection against overlooking of the existing lounge windows, front and side, or the overbearing that will result from the two storey extension.

Even though this loggia extension is fully open at the east side, it nevertheless is a usable room, and could, at any time can be totally enclosed, without the need for a planning application.

The existing principal windows of no. 6 generally face south, towards no. 4, and currently they appear very close, particularly as no. 4, which is a low chalet bungalow, is positioned quite close to the side boundary, namely approx. 1m distant. This distance, together with the resultant distance of the proposed two storey extension being only approx. 1.3 metres away, will mean that there will only be a separating distance of approx. 2.3 between the raised 2 storey dwelling of no. 6, and the lower 1 ½ storey dwelling of no. 4, thereby resulting in overbearing and overlooking onto no. 4.

The result of the whole of the development will undoubtedly result in a loss of residential amenity to no. 4.

**Recommendation**

**REFUSE**

**Subject to the following Reasons:-**

1. The excessive amount of hard surfacing proposed would result in a visually alien, bleak and unsympathetic form of development for this downland edge location and would detract from the semi-rural character and appearance of the locality. The proposal is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

2. The volume of excavation involving the removal of the landscaped embankment and opening up of the site frontage has resulted in vastly denuded land levels and a loss of green enclosure that is out of keeping with, and seriously harmful to the distinctive semi-rural character of this road and is detrimental to the visual amenities of the wider locality. . It thereby conflicts with Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

3. By reason of it poor design and massing the proposed extension to the dwelling will result in an unsympathetic composition and one that does not respect the proportions of the existing dwelling in this elevated situation and would detract from the visual amenities of the locality. It is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

4. The scale, massing and position of the proposed extension, together with the number of proposed windows to the south elevation, will give rise to an unacceptable degree of overbearing and overlooking onto the neighbouring residential property, no. 4 Mill Hill, resulting in a loss of residential amenities of that property. The proposal is thereby contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

5. Having regard to the excessive amount of hardstanding proposed combined with the topography of surrounding land the Council is not satisfied that the proposal makes adequate provision for draining surface water run-off within the site and will result in surface water discharging onto the public highway, which would likely lead to increased risk of flooding to residents further to the south in Mill Hill. The proposal is thereby contrary to Adur District Local Plan saved policy AP4 and National Planning Policy Framework.

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

Case Officer: Eve Hearsey Date: 11.12.2015

Authorised by: Jo Morin Date: 15.12.2015