**51 Old Fort Road - AWDM/2007/21 – Objections based on latest plans**

There is little change to the latest plans, other than a notch out of the building at the upper front level, largely filled in by a substantial balcony.

The large ground floor bay windows (over half the width of the front façade), as illustrated in both elevation drawings, have moved 180mm **closer** to the road.

I can see no other evidence of the concerns raised at the Planning Committee being addressed as required by Councillor Edwards' deferment motion which stated verbatim:

> *"for the matter to be deferred to see whether further discussions can be done to accommodate everyone's concerns that have been raised this evening."*

We therefore request approval for these plans be denied.

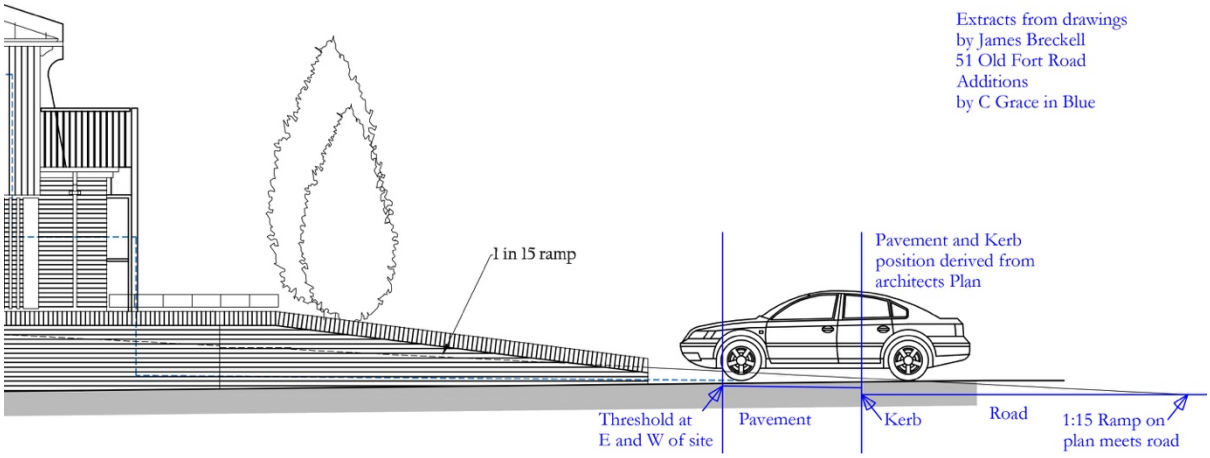
On the basis of the above, please find our detailed objection to the current plans below:

At Planning Committee one Member was focussed on one big house in Old Fort Road as a comparison/justification for this proposed development. However, this house is an anomaly as it was 3 storey prior to redevelopment in 2004. It is the only 3 storey house in the road. Whilst there are other large-ish houses, they are on wider plots. There are also many traditional bungalows, for which the Beach area is well known. Continuing to obliterate the character of the area is directly contrary to Adur Local Plan 4.3 and Policy 15.

A number of other concerns were raised at the meeting, but few if any were resolved, and none had decisions made regarding them.

## 1. Proximity of the proposed building to the road

The architect's drawings are misleading in the extreme. Drawing 406 07B illustrates a car apparently on the property's forecourt, however, when you draw in the pavement, you find that it is blocked completely, and the car is in fact half into the road. This implies that there is way more space in front of the property than there is in fact.




Whilst the upper floor has been moved back to an extent, it is still over a meter closer to the road than the average for the block (#'s 1 – 71 Old Fort Road).

| | | |
|---|---|---|
| FACTS | The average first floor façade distance to road in the block is | 14.23m |
| | The average for # 51 OFR and the 5 properties each side is | 15.06m |
| | The proposal is for a first floor façade distance to the road of | 13.18m |

This substantially breaches the 'building line'. A lower number indicates it's closer to the road.

Compared with the average of properties in the block the proposal is - over 1m closer

Compared with the existing property and 5 properties on either side it is - **1.88m closer**

The proposal does not fit with the street scene, and is entirely out of character.

However, it's worse than the plain numbers would suggest. Much of this 'notch' has been replaced by a substantial balcony.

Also, the lower floor large bay windows, that are over half the width of the front façade, appear to have been moved forward **180mm closer** to the road according to the architects elevation drawings. This is in direct opposition to the Members request.

| | | |
|---|---|---|
| FACTS | The average Ground floor projection to the road in the block is | 12.37m |
| | The average for # 51 OFR and the 5 properties each side is | 13.09m |
| | The proposal is for a ground floor façade distance to the road of | 11.69m |

The proposal is significantly closer than average. A lower number indicates it's closer to the road.

Compared with the existing property and 5 properties on either side it is - **1.40m closer**

The proposal does not fit with the street scene, and is entirely out of character.

Further**,** the design of the balconies effectively increases height and mass, where other properties have modest low level protrusions. Here it is massive and overbearing. The balcony now occupies much of the space where the top floor was before the notch. It is difficult to determine exactly how bad this will look, as the elevations and sections within his drawings provide conflicting information, but it looks significantly more substantial than many of the balconies on the road.

## 2. Comparison with the existing property

We caution against using the existing property as a comparison with what should be allowed now. In 2010 planning was granted for a low level extension, however the architect's survey plan shows that the permitted volume was exceeded by 25.6% with the extension being closer to the road than the permission granted. They now seek to place the closest part of the new proposal closer to the road than even the incorrectly built extension. This is extension of the building line by stealth. We ask that a reasonable building line is determined, based on the data under 'proximity with the road' above, and maintained.

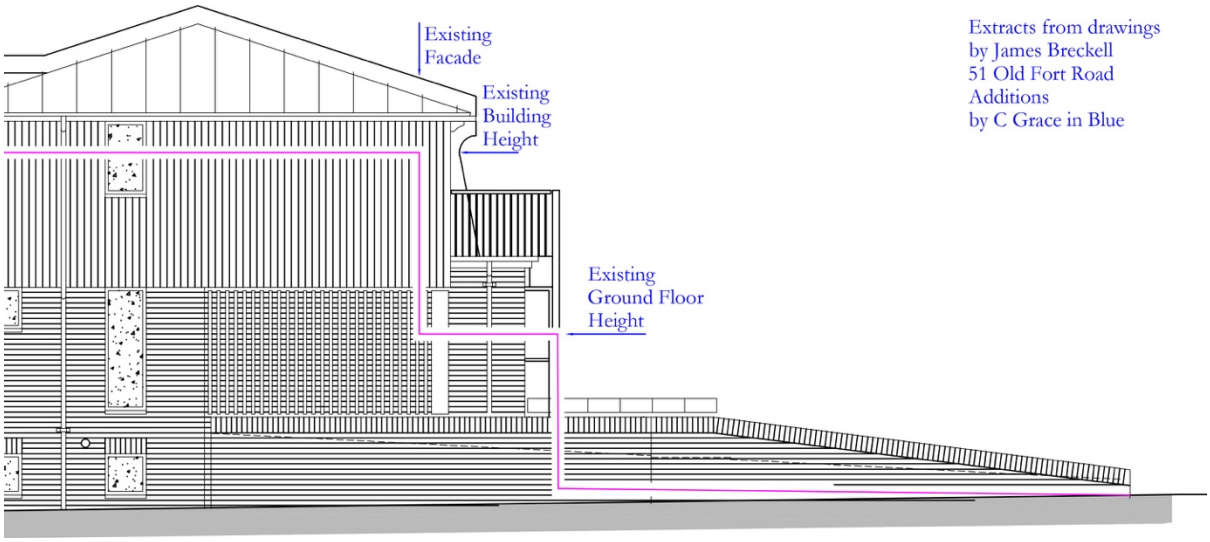
The current proposal is to effectively further reduce the distance to the road, compared with the previous approval, by 280mm, but at considerably greater height, see below.

## 3. Height comparison with other properties

The height of the lower level contributes significantly to how the building set-forward will be perceived, especially in comparison to other properties in the vicinity.

| | | |
|---|---|---|
| FACTS | The average height of low level extensions / protrusions is | 2.62m |
| | The average for # 51 OFR and the 5 properties each side is | 2.64m |
| | The proposal is for a lower portion height of | 3.48m |

The proposed buildings would be at least **840mm above** the average of the other properties. This height difference increases further once you take the balcony into consideration.




One reason for this height disparity is that the ground and first floors are built on top of a partly submerged basement.

I can see two potential solutions to the height problem:

Eliminate the basement, which eradicates the height problem together with others
Move the front of the building back to the main façade building line due to it's height

The part submerged basement has a similar impact on the height at the upper floor, and to the overall height of the building.

Proximity with the road must be considered together with the height of any forward projection.

| | |
|---|---|
| CONCLUSION | The proposed buildings are closer to the road and significantly higher at the lower level than all properties in the vicinity |

This is completely out of character locally and does not fit in at all. It goes against the Adur Local Plan, your Development Management Standards and National planning guidance.

The problem is not only the distance to the road, or the height in isolation, but when you put them together it becomes way worse than the sum of their parts.

This all demonstrates that the proposed building is too large for the plot.

We therefore object to the forward projection of the currently proposed building.

## 4. Massing

This development seeks to justify it's height by comparison with other properties, focussing predictably on the taller ones. Generally, these are traditional pitched roof buildings. However, this ignores the fact that what is proposed is a box like structure rather than a pitched roof building.

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|---|---|---|
| FACTS | The average included pitch angle in the block (#s 1 – 71 OFR) is | 104 degrees |
| | The average pitch angle of 51 OFR and the 5 properties each side is | 98.5 degrees |
| | The proposal is for a very shallow roof on top of a box of | 135 degrees |

This, when combined with a narrow plot, results in inappropriate massing.

Eves height is another indicator of massing:

| | | |
|---|---|---|
| FACTS | The average eves height of properties in the block is | 2.99m |
| | The average eves height of 51 OFR and the 5 properties each side is | 2.3m |
| | The proposed eves height is | 5.51m |

This would be the highest in the block

This creates an overbearing property, out of proportion with it's surroundings.

I have also calculated the cross sectional area (the frontal / rear silhouette) of # 51 OFR and 3 properties either side (unfortunately other data is not so readily available):

| House # | 45 | 47 | 49 | 51 | 53 | 55 | 55a | Average |
|---|---|---|---|---|---|---|---|---|
| Plot width | 8.42 | 8.42 | 12.63 | 12.7 | 12.64 | 8.48 | 8.48 | 10.25 |
| Cross section area sq.m | 31.98 | 31.98 | 42.37 | 40.77 | 37.61 | 38.15 | 38.15 | 37.29 |
| Area per m of plot width | **3.80** | **3.80** | **3.35** | **3.21** | **2.98** | **4.5** | **4.5** | **3.73** |

| | | |
|---|---|---|
| The proposed is for 2 properties with | Plot widths of | 6.35 |
| | Cross sectional areas of | 33.62 |
| | **Areas / m of plot width** | **5.29** |

The bigger the resulting Area / m the more massive the building.

FACT Massing is therefore 65% greater than the average of 3 buildings either side.

Three different ways of assessing massing, all demonstrate that the proposed building is substantially more massive than other buildings in the vicinity.

Further to this The Adur Local Plan (ALP) 4.43 requires a minimum density for new dwellings of 35 per hectare. This equates to 285.7 sq.m per property. I understand this is a minimum, but it is a good indicator of density. These proposed properties would have an area of only 213.3 sq.m meaning that they are 34.3% denser than the standard requires. This is not supposed to be high density housing, it's the middle of a series of what have been moderate

sized properties on the Beach. It further illustrates that the development is too dense for the narrow plot, each of which become 6.35m wide when sub-divided.

ALP Policy 2 further states 'coalescence will be resisted' It's hard to find a clearer example of coalescence than replacing bungalows with predominantly box shaped structure, as the Inspectors noted in recent appeals. ALP Policy 15 also supports our case that this development is out of character on the basis of massing etc.

At least 2 other 2 for 1 applications on similarly small plots have been denied, and the decisions upheld at appeal.

This clearly indicates that the building is too large for the plot, and we object on that basis.

## 5. Accessibility and Approved Document M of the Building Regulations

Local authorities have a duty to ensure that housing is suitable for all, and I am pleased to see that in the Adur Local Plan 4.28 it states that M4(2) should be achievable. On a substantially level plot, in this level area of the Beach, there is really no justifiable reason for not complying with M4(2). Please ensure this development complies with M4(2).

I understand that building regulations are normally a building control matter, however, in this case the proposal deviates so far from compliance that it would be inconceivable to not consider it at the planning stage, as achieving compliance may require a fundamental re-design.

### 5.1 Ramp to front door

The ramps illustrated on the architect's drawings do not come anywhere close to meeting Approved Document M standards due to the designed rise, proximity with the road and the small plot size. The stated 1:15 ramp, which is in itself non-compliant due to the rise and going of the flights, would stretch across the pavement, and into the road!

The level of the pavement at the end of the proposed ramps is, based on the survey drawing 406 03, 5.69m OSD for the western property and 5.63 for the eastern property. For illustration purposes only I have used the average of the two – 5.66 OSD.

Comparing this with the stated finished floor level, there would be a rise of 930mm.

The distance from the front door to the site boundary is 14.52m, however Approved Document M requires landings of 1.2m at the top and bottom of flights, together with intermediate landings where flight length exceeds minima.

The top landing is too small as illustrated at 900mm. It should be 1.2m long. The intermediate ramp is also non-compliant at between 900mm and 1150mm subject to which drawing you measure. All elevations illustrate an intermediate landing with a 30mm raised lip at the up ramp, and a 30mm drop at the down ramp. These are non-compliant and defeat the whole point of a ramp.

Approved Document M clarifies the requirements for ramps stating:

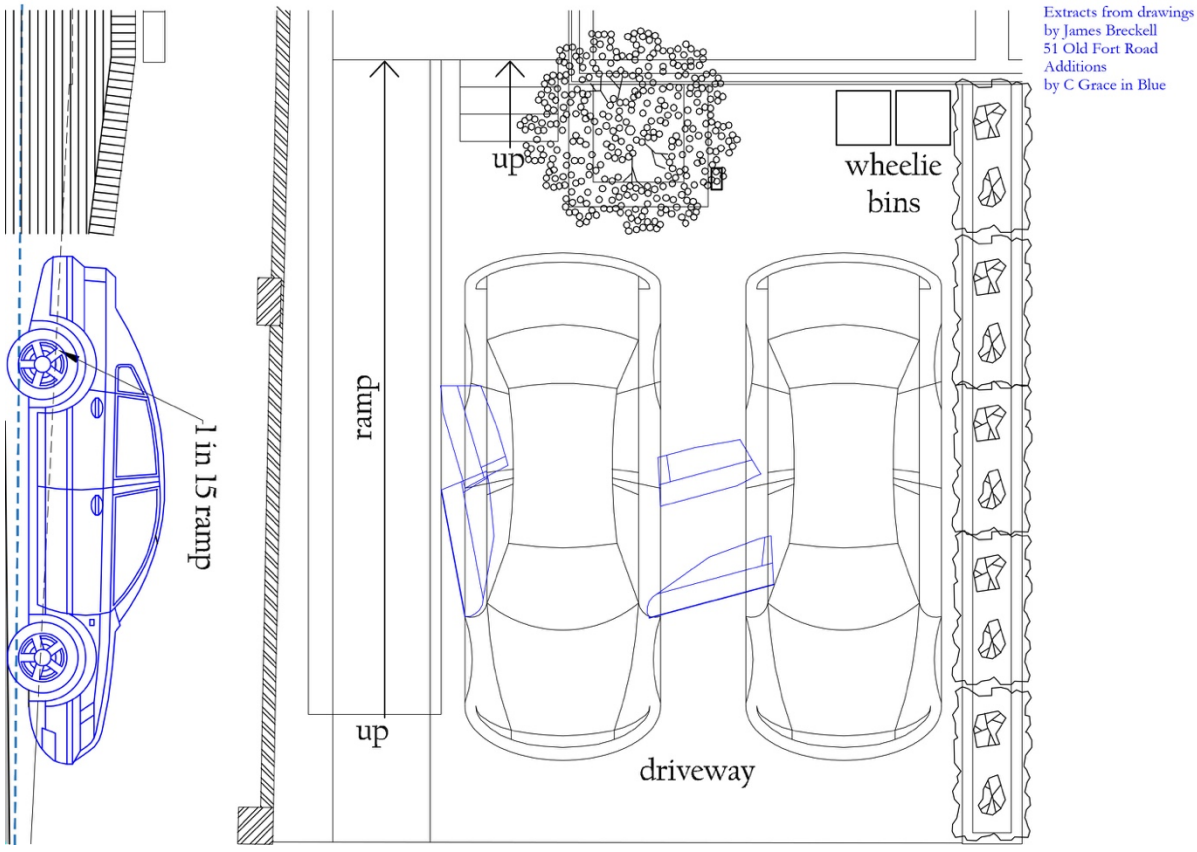
*... in general a ramped approach should have gradients in accordance with lengths and rises shown in diagram 2.1.*

Approved Document M clearly indicates that 'favourable rounding' cannot be used to stretch a ramp, or provide an unnecessarily steep gradient. That's why Diagram 2.1 illustrates an extrapolation of gradients between 1:12 to 1:20 for given rises and flight lengths.

If in fact it is impossible to build a compliant ramp in the space available with this building design, that does not mean that's an excuse for non-compliance, it's an illustration of the flawed design requiring a 930mm rise to the front door on a substantially level plot.

Whilst Approved Document M concedes that it is not always possible to provide ramped access, the example it cites is a steeply sloping plot, which is not the case in this development.

We question the viability of the parking spaces at the front of the property as it will inevitably be necessary to open the car doors over the ramp, which is unlikely to be possible due to the height of the slope at the point the door needs to be able to open.




All of this is a further illustration that the proposed building is too large for the plot.

It is interesting to note that if you for example reduce the excess height caused by the basement, then the ramp problem immediately goes away.

## 5.2 Other Part M issues

The steps either side of the intermediate landing do not appear to comply with Approved Document M. The going is too short at 250mm and the rise needs to be checked. Where there are 3 or more risers, as in this case, a handrail should be provided, I do not see this on the drawing. Please ensure the steps are M4(2) compliant.

Approved Document M4(2) 2.12a requires that a parking space can be widened to 3.3m Whilst this can obviously be achieved, it would result in the property having only one car parking space, which is surely an unsustainable proposition for a 3/4 bedroom house.

Approved Document M4(2) 2.12f requires a suitable ground surface. We suggest gravel is unsuitable for people with mobility issues and does not meet this requirement.

In the Councils Environmental Health Private Sector Housing letter of 23/12/21 they raised concerns over fire safety and suggested fire doors to the Lounge and Kitchen. Is this still a requirement? It may impact on Approved Document M.

We request Building Control take a look at these plans at this stage to determine compliance with M4(2) internally. The entrance door is non-compliant. Other elements, such as space to manoeuvre, minimum width for stairs etc. should be checked for compliance as they can have a significant impact on the design of the building as a whole.

We object on grounds of non-compliance with Approved Document M.

## 6. Rear Garden

The revised plans confirm a floor area of 134.9 sq m, which is in excess of 120 sq m requiring a 100sq m rear garden in 3.5 of the Development Management Standard No 1.

A garden size of 66 sq m is only two thirds of the minimum size recommended in your standards document. This doesn't miss the target by a bit, it's a huge deviation. This is yet another illustration that the proposed building is too large for the plot. Please require developers to provide a sensible rear garden, based on your standards.

Yes, I understand that requiring the properties to have gardens meeting your minimum guidance would result in long thin gardens, but that's the point, it illustrates that the development is too large for a sub-divided narrow plot.

The average distance of the development from the rear boundary is 10.71m at ground level, and 10.36m at first floor level due to the cantilever design of the building. This is less than the absolute minimum stated in your Development Management Standard No 1 at 3.2.

An argument has been put forward that others have been allowed to breach minima, maybe so, however typically these have been on wider plots where the garden area is larger. There is no sustainable reason for ignoring this minimum.

DMS 2.3 states:

*… in order to prevent over-developed layout, should not have excessive overall site coverage of buildings and hard surfaces.*

The proposed development has a building and hard surface coverage of 74% which is surely excessive and exacerbated by not meeting the 100sqm minimum garden size required in DMS 3.5.

Please don't just ignore all of your standards relating to amenity space. It is important for all. To ignore it would be to effectively discriminate against young, vulnerable and older people who cannot access other open spaces independently.

We re-state our objection to the size of the rear garden of the property and it's proximity to the boundary.

## 7. Soak Away

We note the Councils Technical Services comments regarding infiltration required 5m from buildings and 2.5m from boundaries.

Is the garage at 53 Old Fort Road included in the definition of buildings?

Also, there will be a new boundary between the two new properties. Should infiltration be 2.5m from the new dividing boundary to preserve the integrity of the border fence?

If this is the case, what are is required for infiltration for a property this size, and what provision is there to transfer the water from the front of the building to the designated location?

## 8. Summary

We have confined ourselves to only issues raised at the meeting as per Cllr Edwards' Deferral motion and would be grateful if all of them are taken into account please.

The kitchen bay windows have moved 180mm closer to the road, 1.4m closer than the 5 properties either side

The lower protrusion is 840mm above the block average (1 – 71 OFR) and there's a substantial balcony on top of that resulting in a very tall projection close to the road

The upper façade is still 1.88m closer to the road than the average of 5 properties either side

Massing, as measured in multiple ways (including roof pitch, eves height, and frontal area vs. plot width) illustrates this proposal is an overbearing overdevelopment of the limited site

Many aspects of the proposal are not compliant with Approved Document M. The greatest concern is the ramp to the elevated front door, though other elements may

require a redesign that should be completed prior to planning approval due to their potential impact on the project as a whole

Development Management Standard No 1 3.5 requires a minimum garden area of 100 sq.m. The proposal is only two thirds of that, again illustrating over development at the expense of amenity space DMS 2.3 also supports this

In the attached Annex we re-state other issues that are of great concern for convenience, should approval be granted

## 9. Conclusion

We re-affirm our objection relating to the previously submitted proposal, as verry little has changed excepting the 'notch' and push forward of the bay windows. We request you recommend rejection of this application based on your previous objections, which have not been addressed; our objections above; and the fact that the front of the building has not been reset to the building line as specifically requested by the Members.

Chris & Jean Grace
49 The Meadway
28/2/22

## Annex A - Requested conditions

Plan 406 04D illustrates sheds which it says are allowed under PD rights.

If the plans are approved with such woefully inadequate rear gardens, your standards state that there should be a condition stating that there will be no PD rights. In which case these will not be permissible, and the cycle storage requirement will not be met.

Another impact of trying to jam too large a building on too small a plot.

We also request conditions protecting the mature trees bounding the site, specifically protecting their root system during demolition and in construction of a new boundary wall.

We request specific conditions to mitigate construction contaminants, especially dust, from being blown across our property in order to avoid contamination of our koi pond and the impact on the health of our koi.

All of the above is based on analysis of data available in planning applications / approvals or direct measurement.