Exp 30/11

Development Control – Delegated Report

Application Number: ADC/0385/09 Recommendation - APPROVE

Site: **Mermaid Lodge Mental Disorder Care Home**
68/70 Brighton Road, Lancing BN15 8LW

Proposal: **6-bedroom three-storey side extension and single-storey front extension to care home (increasing number of residents from 10 to 16)**

The Application

This pair of former semi-detached houses now comprise a care home for the mentally disordered, permission having been granted for the change of use in 2004 (L/13/04). The current proposal is for:-

- a three-storey east side extension to No.70 measuring 11.1m deep and 6.8m wide, with an overall height of 10m as seen from the rear and 7.3m from the front (owing to it being built partly on the secondary sea defence embankment). It would have a pitch-roofed of matching roof tiles surrounding a flat roof, with the top floor partly within the roof (with front and rear dormers). The material would be matching brickwork for the lower storeys and render for the upper storey. It would provide 3 bedrooms each of the two upper floors and storage in the basement.

- a single-storey extension across the front of both No's 68 & 70 measuring 14.8m wide and 2.3m deep. It would have a lean-to roof of matching roof tiles and walls of matching brickwork. It would extend existing rooms (lounge, kitchen and entrance halls).

A previous application (ADC/0245/09) for this same proposal was refused in August 2009, following an objection from the Environment Agency, because there was no flood risk assessment.

Consultations and Representations

West Sussex County Council: No objection as the proposal should not materially increase vehicular traffic at peak times.

Environment Agency: No objection provided a condition is imposed requiring details of any excavation works to the secondary sea defence embankment to be submitted and approved prior to commencement. No longer objects flood risk grounds and accepts the applicant's consultant's Flood Risk Assessment (FRA).

Adur District Council: The Environmental Health Officer states that the front bedrooms would need to include additional attenuation and/or suitable ventilation to protect against the high level of traffic noise from the A259.

Lancing Parish Council: No objection.

Third Parties: 2 letters have been received from residents of No.5 The Herons, on the opposite side of the A259, and from the owners of the Golden Sands holiday caravan park.

The resident of one of the houses opposite objects on grounds that the narrow access road is inadequate to cope and emergency vehicles have difficulty using it (a fire engine recently became stuck with no room to turn); parking is already limited; the existing building needs much work to its appearance without any extensions; the huge extension would overlook the new chalets at Golden Sands and cause loss of light and privacy to her house as well as loss of sea view from upper windows which she finds therapeutic being disabled especially in periods when she is unable to go out; it would be out of keeping with the area; a larger property should be acquired if it is too small.

The letter from the owner of the Golden Sands holiday caravan park states that the applicant has included part of his property within the red line (NB. since amended) and fraudulently used the name Golden Sands Lodge (NB. since corrected to Mermaid Lodge); they have no right of way over part of his access road; there will be an increase in traffic because of the construction traffic and subsequently because of the additional residents; lorries would not be able to access the site due to the narrowness of the road and weight restrictions and cause safety issues to him and holiday park users, the access also being used in emergencies; his business will suffer because of noise, smells and general disruption from the extra vehicles; he is concerned about the design and appearance but gives no explanation.

Relevant Planning Polices and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AH10 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Revised West Sussex Parking Standards (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG24 'Planning and Noise' (DoE 1994)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

Policies

Policy AH10 of the Local Plan states that extensions to existing residential care homes will only be permitted where they comply fully with policy AH7 (extensions to dwellinghouses). AH7 states they should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an

overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be acceptable.

Visual amenity

The proposed side extension is relatively large and would make what is already a prominent building, partly because of its elevated position above the sea defence embankment, more dominant. However, it adjoins the holiday caravan park and stands in relative isolation from other houses and permanent buildings. It would not result in an appearance of overdevelopment or conflict with the standards set out in DC Standard No.3 and it is not considered that refusal would be justified on grounds of unacceptable visual impact.

As regards the design of the side extension, normally it is desirable that extensions are designed to closely resemble the original building or previous extensions (as in this case on the western side of No.68). However, to achieve the floorspace required, this would appear to entail double ridges/gables with an intervening 'valley'. As seen when approaching from the east, this would appear visually unattractive. Consequently, it is considered that the submitted design is to be preferred. The lower eaves height of the proposal also helps to make it more subservient than would otherwise be the case.

The front extension would tidy up what is currently a somewhat haphazard collection of poor quality additions and be a distinct improvement.

Residential Amenity

The proposed east side extension is opposite the car wash site, not opposite dwellings. No's 4 & 5 The Herons are opposite the existing building, not the proposed extension, and No's 1-3 are further west.

The resident of No.5 refers to loss of light. However, given the intervening distance of 35m and the oblique angle, there is no sound justification.

With regard to loss of sea view, this is not a valid planning consideration. The extension is not close enough to cause an unacceptable effect of loss of outlook or overbearing effect to the houses on the opposite side of the A259. It is also not so close to the Golden Sands manager's mobile home (lodge) or

the holiday mobile homes as to cause unacceptable detriment to their amenities.

Access and Parking

Unacceptable traffic generation and access deficiencies are cited by a local resident and the caravan park owners. However, WSCC have no highway objection and it is not considered that a 6-bedroom extension to a care home would generate significant traffic movements compared to the amount of traffic already using the access road (and certainly not compared to the heavy traffic flow on the A259 itself). The adopted *maximum* parking standard requires 7 car parking spaces for the proposed number of residents as compared to 5 spaces as existing. This increase of 2 maximum would apply in locations lacking public transport, unlike the present site which is on a bus route with a frequent service.

The existing premises already have garaging on the lower ground floor accessed from the rear and there is space for additional on-site parking on the rear part of the curtilage of the building.

The owners of the caravan site deny any right of way over the private access road for construction traffic to build the extension and are concerned about damage. However, this is a civil matter between the parties concerned. They are also concerned about noise, smell and disruption from traffic but construction traffic would be only temporary and the traffic attributable to the completed extension would be extremely unlikely to cause demonstrable harm.

Flood Risk

A fundamental consideration is that the site is within a Zone 3A flood risk area as identified in the Worthing & Adur Strategic Flood Risk Assessment. Under PPS25 'Development and Flood Risk', a Flood Risk Assessment (FRA) is required. The issues to be addressed include the floor level of the proposed extensions and whether there is a dry safe means of escape were a flood event to occur. The applicant has now submitted an FRA and its findings are accepted by the Environment Agency.

The Environment Agency recommends a condition requiring details of any excavation works to the secondary sea defence embankment to be submitted and approved prior to commencement of building work.

Recommendation

APPROVE for the reason that:-

1PPii ....(AG1, AH7, AH10).

Subject to:-

1. C1Ci
2. No development shall be commenced until details of any excavation works to the secondary sea defence embankment have been submitted

to and approved in writing by the LPA and the development shall be carried out in accordance with the approved details.
R. To safeguard against flood risk having regard to PPS25.

3. C12Ai .....and roofs of the proposed extensions have been.....
   R. policy AH10 of the ADLP.
4. C8Gii The extensions hereby...
5. C17A amended The proposed front bedrooms shall not be occupied until they have been sound insulated in accordance with....
   R. To protect against traffic noise having regard to PPG24.
6. C14A3 ....as amended by the revised location and site plan received on 19 October 2009. R. For the avoidance of doubt.

Case Office [redacted] Date....2/11/09.....

Chairman of DC Comm [redacted] Date....02/11/09