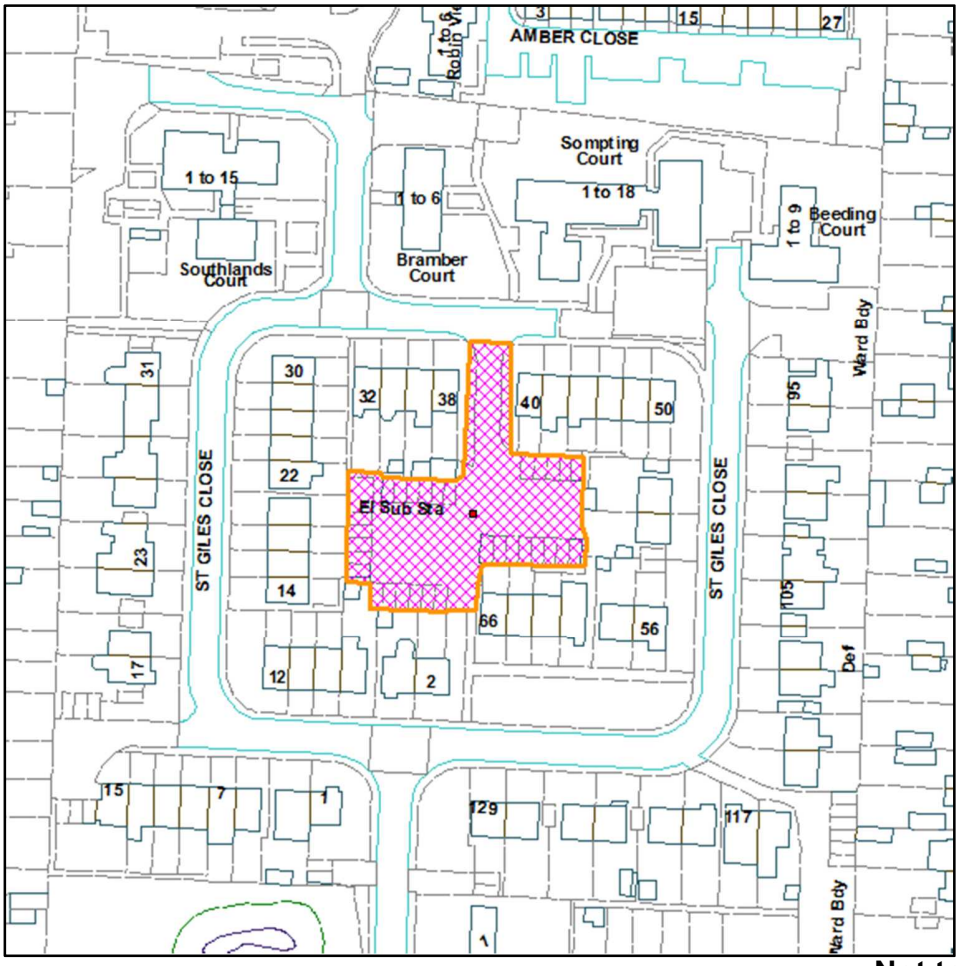
Application Number:	**AWDM/1272/21**	**Recommendation - APPROVE**
Site:	**Land Between 38 And 40 And South Of 32 To 44 St Giles Close, Shoreham-By-Sea**	
Proposal:	**Demolition of existing garage blocks and construction of 2no. 2 bed 2 storey dwellings and 2no. 1 bed single storey dwellings**	
Applicant:	Adur District Council	Ward: St Mary's
Agent:	Neal Thompson, Robinson Escott Planning	
Case Officer:	Gary Peck	



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for the demolition of 5 existing garage blocks containing between 5 and 8 garages in each block and their replacement with the construction of 2no. 2 bed 2 storey dwellings and 2no. 1 bed single storey dwellings.

The respective dwellings would be in pairs with the proposed dwellings being located on the western part of the site and orientated north-south and the proposed bungalows sited on the eastern part of the site and facing east-west. 2 parking spaces would serve each dwelling in a tandem arrangement and there would be 2 further spaces for visitors.

The application site is located within St Giles Close and comprises a number of garage blocks surrounded on all sides by 2 storey terraced and semi detached houses in the close. The garages are accessed by vehicles to the north and there is also a pedestrian entrance to the south. An electricity sub station is to the north west corner of the site and would be retained as part of the development.

The existing garages are all flat roofed and appear modest in size. They appear of little visual merit and are served by a large area of hardstanding. The site is an offset rectangle in shape and is little visible from the south as the pedestrian entrance is quite narrow but more visible from the vehicular access to the north, albeit the nature of St Giles Close is such that is likely that only nearby residents would view the site from this point. The application site is not within a Conservation Area but is within walking distance of the centre of Shoreham.

At present, the Council is seeking to develop a number of garage sites across the District for residential purposes. The application was the subject of pre-application discussions with Officers which resulted in the number of dwellings being reduced and an amendment from 2 storey dwellings to bungalows on the eastern part of the site.

Relevant Planning History

None relevant to the determination of the application

Consultations

Environmental Health (Private Sector Housing)

I have no objections on PSH grounds, but I would recommend that the bungalows should be constructed as wheelchair accessible to ensure that they are available for disabled tenants straightaway, rather than being adapted afterwards

Technical Services

Thank you for consulting us on this application. We have the following comments regarding flood risk and surface water drainage.

Flood risk

The application is within flood zone 1, it includes small areas at risk from surface water flooding. We therefore have no objections on flood risk grounds.

Surface water drainage- the application includes a surface water drainage strategy. This is proposing on discharging at 18l/s. The proposed discharge rate is too high. Current Policy requirements are for brownfield sites to discharge for all events up to and including the 1 in 100 year plus 40% cc event at greenfield QBar, or as close to this as possible with a maximum rate equivalent to 50% of the brownfield runoff allowable. It can be seen from the plan in appendix F that there are small areas where infiltration could be used. Therefore, infiltration testing should be completed. It may be that blocks 1 and 2 can drain to soakaway, or at least some of their roofs can. This is required to be policy compliant, it will also help to reduce your required storage volume, and likely reduce construction costs. Winter groundwater monitoring is required even to support attenuation design.

We wish to raise a HOLDING OBJECTION to this application. It is essential to establish if there is adequate space for surface water drainage prior to agreement of site layout. Drainage should be a fundamental consideration in design. Failure to secure a robustly evidenced implementable drainage strategy at this stage will likely unduly prejudice the drainage design and result in proposals failing to meet policy requirements. A revised drainage strategy with a lower discharge rate should be provided, this should also detail that infiltration potential will be investigated and utilised. Detailed drainage design would then be the subject of pre-commencement conditions.

If you are however minded to approve this application prior to a revised drainage strategy be submitted then please ensure the following condition is applied:

“Development shall not commence, other than works of site survey and investigation,until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of anyInfiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.”

“Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local PlanningAuthority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.”

and the accompanying informative:

"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The Percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate Freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further Detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms.

A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

West Sussex Highways

Summary

This proposal is for the demolition of four existing garage blocks and erection of two one-bedroom dwellings and two two-bedroom dwellings. The site is located on St Giles Close, an unclassified residential road subject to a speed restriction of 30 mph. WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

Access and Visibility

The site is served by an existing vehicular access off St Giles Close, to the north of the site. From inspection of local mapping, there are no apparent visibility issues with the existing point of access onto the maintained highway. In addition, the LHA does not anticipate that this proposal would give rise to a material intensification of use of this access.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

Parking and Turning

The applicant proposes to provide each dwelling with two parking bays, with an additional two visitor parking spaces, totalling ten parking spaces for the site. The WSCC Car Parking Demand Calculator indicates that a development of this size would require at least seven parking spaces.

Therefore, the LHA considers the proposed parking provision to be sufficient. From inspection of the plans, there is plentiful space for cars to turn on-site and exit in a forward gear.

In the interests of sustainability and as a result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below.

Regarding cycles, the applicant has demonstrated cycle stores to the rear of each plot, in accordance with WSCC parking standards for cycle parking provision. The inclusion of cycle parking will help promote the use of sustainable transport methods.

The LHA is aware that 30 existing garages will be lost as part of the proposed development.

However, the LHA notes that the garages have internal dimensions of 2.5m x 5.5m, which does not meet the minimum internal specifications for single-car garages of 3m x 6m as set out in Manual for Streets (MfS). Therefore, the LHA does not consider the garages as parking provision, as they may only be large enough to accommodate a small car. It is not unreasonable for the LHA to believe they may be being used for other purposes (e.g. storage). This notion is reinforced by the Transport Note, which states that approximately three garages are being used for parking, whilst the remaining garages are void or being used for other purposes.

Notwithstanding the above, the LHA advises the LPA to consider the potential impacts of the loss of the garages on on-street parking from an amenity point of view.

Sustainability

The site is located in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option for transport in the local area. The site is also well connected by public transport. Regular buses that link Shoreham and Rottingdean are available from nearby Middle Road, whilst Coastliner services can be taken from Brighton Road, approximately 1km south of the site. Shoreham-By-Sea Train Station is located approximately 1.4km southwest of the site.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

West Sussex Fire and Rescue

Having viewed planning application No. AWDM/1272/21, evidence will be required to show adequate access is provided for a fire appliance with a suitable turning facility to ensure the appliance can turnand make an exit. A fire appliance should not have to reverse more than 20 metres, identified and requirement of Approved Document - B: Volume 1 - 2019 Edition B5 section 13.

This information has been supplied by the applicant subsequently and further comments are awaited

Southern Water

No objection subject to adequate measures being undertaken to protect public sewers.

Representations

2 letters of objection have been received on the following grounds:

- overlooking and loss of privacy
- increased noise and disturbance
- adverse impact upon the visual character of the area
- loss of biodiversity

1 letter of comment has been received:

The plans should include upgraded sections of the pavement to allow for step free access for the 4 - 5 residents within the Close that use mobility aids to travel in, around and out of the Close. Additional bungalows will likely provide accommodation for individuals with environmental challenges either immediately or in the future. The plans should consider future proofing and upgrading infrastructure to prevent exclusion and further isolation.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 2, 15, 18, 19, 20, 22, 28, 30, 33, 34, 35, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'

Sustainable Energy SPD (August 2019)

West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019)

National Planning Policy Framework (February 2019)

Technical Housing Standards – nationally described space standard (DCLG 2015)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

It is considered that the main issues in the determination of the application are the effect of the proposals upon the visual character of the area, the amenities of neighbouring properties, highway safety and drainage.

The application site is within the built-up area as defined by the Local Plan and is considered to be in a sustainable location within walking distance of the town centre and close to local bus and cycle routes. The garage complex comprises previously developed land and therefore as a matter of principle, the redevelopment of the site would be in accordance with government guidance.

In the recent appeal decision at The Haven, Lancing, the Inspector gave significant weight to the lack of a 5 year housing supply in the District and that the Council had only managed to deliver 48% of the housing requirement during the measurement period of 2017-2020. He concluded that '...*set in this context, the need for housing is urgent and a step change in delivery is required.'*

Given the constraints of the District such as flood risk and proximity to National Park and sea, it is clear, therefore, that a redevelopment of a site such as this should be looked at positively subject to Development Management criteria.

The garages themselves are of little visual merit, nor is the large expanse of hardstanding that serves them. The site is not especially visible from the public viewpoint and therefore it is not considered that the proposal would have any adverse impact in visual terms upon the general character of the area.

The reason, however, why the site is not particularly visible from the wider area is that it is almost entirely surrounded by the existing dwellings that form the inner part of St Giles Close which runs around each edge of the application site. While these dwellings look out at unattractive garage area at present, it is nonetheless a relatively open area consisting of single storey garages and hence the introduction of 2 houses, 2 bungalows and their associated activity will bring a change to the amenities of those properties.

The key consideration in respect of the application is that the Supplementary Planning Guidance as contained within Development Management Standard 1 requires that normally a distance of 22 metres is provided between facing windows to maintain adequate privacy. Such a distance would be impossible to achieve on the eastern portion of the site, hence the alteration from houses to bungalows at the pre-application stage, while on the western side, the separation distance is (just) achievable between the new dwellings and those existing to the north, but approximately 20 metres is achievable to the numbers 2 and 4 St Giles Close to the south if their main rear elevation is taken as the measuring point but less if the conservatory on the latter property is included.

As such, therefore, the application could be resisted on the basis of the failure to meet the overlooking standard. A simple solution could be to reduce the floorspace of the dwellings, but this in turn would result in the dwellings being below the minimum space standard for a 2 bed dwelling (they just exceed the standard of 79 square metres at present).

It is noted that 2 and 3 windows (one to the side on one of the dwellings) respectively serve the bedroom at first floor level facing the nearest dwellings. As there is more than one source of light serving these rooms, therefore, consideration could be given to partially obscure glazing the lower part of the windows which would prevent unnecessary overlooking but also allow sufficient light to serve the bedrooms concerned. Given the Inspector's comment that a step change in housing delivery is required, it is arguable that a rigid adherence to an exact overlooking distances could not always be justified if all other aspects of the application are acceptable. There would also be an opportunity to improve the boundary treatment between the respective dwellings given at present the existing dwellings look onto the back of a garage which would be replaced with a rear garden area. On balance, therefore, it is considered that subject to appropriate conditions, a refusal could not be justified on overlooking grounds.

The above consideration has concentrated on first floor level windows, since at ground floor level, overlooking distances are less relevant given the likelihood of intervening boundary treatment and/or landscaping. This could be the case in respect of the ground floor of the proposed dwellings, which can be secured by condition.

The proposed bungalows would be about 16 metres from the rear of the dwellings to the east which would clearly be below the 22 metre overlooking standard were the properties to be 2 storey. As such, therefore, any impact in respect of overlooking would appear to be to the new bungalows instead of existing dwellings. It is noted, though, that the proposed bedrooms are located at the front of the bungalows and it is the kitchen/diner/living room area that is to the rear. While the limited size of the rear garden (there is also space to the side to serve as an amenity area) may restrict the amount of landscaping available, nonetheless there would be sufficient opportunity to limit overlooking to an acceptable degree.

The loss of the garages would naturally result in concerns in respect of additional parking pressure, but as the Highways Authority points out, it is certainly evident that few of the garages are of sufficient size to accommodate a modern car and there seems little reason to doubt the assertion that only about 10% of the garages are used for parking purposes

with their use mostly being for storage instead. It is noted that the dwellings on the outer edge of St Giles Close have their own garages/hardstanding and therefore there does not appear to be any particular parking pressure resulting from these properties. It is the inner properties that would appear more affected, but the road is not subject to any parking restrictions and there would appear capacity to accommodate any additional on street parking which may result because of the loss of the garaging. In any case, national guidance states that planning applications should only be resisted if the impacts are severe, which certainly would not appear to be the case here and given the wider strategic need for housing could not be used as a basis for refusal.

The remaining issue is in respect of surface water drainage. It is noted that the Technical Services Officer states *It is essential to establish if there is adequate space for surface water drainage prior to agreement of site layout*. Although stating there is a holding objection on the details as submitted, it is also suggested that if the Committee is minded to grant permission for the application, then detailed conditions can be imposed. Your Officers are of the view that the imposition of conditions is the correct approach. Indeed, the purposes of conditions should be to secure the appropriate mitigation to serve the development. It is not suggested that the required information cannot be achieved and therefore it is the responsibility of the applicant to submit the required details prior to the commencement of development and, only when done so, can the development proceed. It is understood that the applicant has already begun addressing the issues identified which will need to be similarly addressed on the other similar sites that will soon be coming forward.

Your Officers note the comment about the condition of existing footways in St Giles Close but it is not considered that the scale of the development proposed would justify securing wider improvements to footways in the Close. Nevertheless, the applicant has been advised of the concerns and this is a matter that can be taken up separately with the Highway Authority.

Sustainability and energy statements have been submitted as part of the application. Combining energy reduction measures and the use of renewable energy is estimated to provide a CO2 reduction of over 32%, which is a further point in favour of the scheme.

In conclusion, the site is constrained and this limits the amount of development that can be achieved and the quantum of development has already been reduced at the pre-application stage. What is not in doubt is there is a critical need for new housing in the District, and that opportunities to use a site like this must be looked at positively if the Council is going to attempt to meet its housing needs. Accordingly, therefore, subject to the imposition of appropriate conditions, the application can be supported.

Recommendation

APPROVE

Subject to conditions:-

1. Approved Plans.

2. Full Permission.

3. Development shall not commence, other than works of site survey and investigation,until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of anyInfiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

4. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local PlanningAuthority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

5. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

   Reason: To provide car-parking space for the use

6. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

   Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

7. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

   Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

8. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

9. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

10. The windows in the first floor southern elevations of the dwellings hereby approved shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.

11. No additional windows shall be installed in the southern or western elevations of the dwellings hereby approved.

12. Approval of Materials.

13. Removal of permitted development rights for any extensions/alterations.

14. Hours of Construction to be limited to 0900 to 1700 hours Monday to Friday, 0900 hours to 1300 hours on Saturday and no working on Sundays or Bank/Public Holidays.

Informatives

“Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The Percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate Freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further Detail regarding our requirements are available on the following webpage
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