From: Keith Morgan
Sent: 10 August 2009 12:43
To: 'carl@atterburymoore.co.uk'
Subject: RE: ADC/0247/09 68-70 Brighton Road, Lancing
Attachments: atterburymoore.doc; adc247.09.doc

Carl,

It sounds as if you didn't receive my letter of 18 May (attached) as I clearly referred to the FRA issue in it. When you made the application without it, I presumed from what is stated in yr D&A Statement that yr client had contacted the EA and been told otherwise– but the EA did not accept this when consulted on the application.

I have also attached the planning report on the application. You can see that I thought the flood risk issue was the only one constituting a ground of refusal – but there were other objections from residents opposite and from the owner of Golden Sands about access rights, etc. The EA also wants calculations related to the effect on the sea defence embankment but I think this would be dealt with by them separately.

As to preparing the FRA, it is normally a matter for a person qualified in such matters although the type of development may make a difference. Looking through the cases accepted by the EA in the last 12 months along this stretch of road:

ADC/0595/08 184/186 B'ton Rd (redev with 5 houses) had an FRA by GTA Civils Ltd, 66A Church Walk, Burgess Hill RH15 9AS;

ADC/0510/08 168 B'ton Rd (conversion from 2 to 3 flats) had a one-page FRA by the applicants agent Seacom Building Services London SE23

ADC/0023/08 170 B'ton Rd (redev with 2 houses) had an FRA by Robert Clarke Associates Ltd, Willow Cottage, Herne Lane, Rustington BN16 3EE

These are not on the website. A recent example that is on the website is ADC/0210/09 (Ropetackle)

Hope this helps.

Regards

Keith

Keith Morgan - Planning Services Manager | Planning, Regeneration & Wellbeing, Adur District Council
Location: Civic Centre, Ham Road, Shoreham-by-Sea BN43 6PR
Internal: 63239 | External: 01273 263239 | E-mail: keith.morgan@adur.gov.uk

Please think before you print this and save paper

From: Carl Moore [mailto:carl@atterburymoore.co.uk]
Sent: 10 August 2009 10:12
To: Keith Morgan
Subject: RE: ADC/0247/09 68-70 Brighton Road, Lancing

Hi Keith

I have received the refusal notice regarding the extension to 68-70 Brighton Road, Lancing. I have been away and was not aware that i had to provide a Flood Risk Assessment. Notwithstanding I would like to re-submit the application and wondered if you could provide me with some assistance and advice before I do this.

1. I have never undertaken a Flood Risk Assessment. Could you let me know if you are aware of anyone that provides this service or if anyone from the EA can help me. I am aware that several other developments have been

undertaken along Brighton Road. Has anyone else provided this and if so is there anything on your web site that i can have a look at.
2. The application has been refused only on the flood risk. Is there any other concerns that you may have if i re-submit the application as it stands. ie design, size etc.

Your assistance would be much appreciated.

Kind regards

Carl

[Carl Moore]

-----Original Message-----
From: Keith Morgan [mailto:Keith.Morgan@adur.gov.uk]
Sent: 16 July 2009 15:51
To: carl@atterburymoore.co.uk
Subject: FW: ADC/0247/09 68-70 Brighton Road, Lancing

Dear Carl,

Hope things are well with you.

Please could you let me know the existing number of residents at this home and the proposed number as a result of the 6 additional bedrooms.

Thanks

Keith

Keith Morgan - Planning Services Manager | Planning, Regeneration & Wellbeing, Adur District Council
Location: Civic Centre, Ham Road, Shoreham-by-Sea BN43 6PR
Internal: 63239 | External: 01273 263239 | E-mail: keith.morgan@adur.gov.uk

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From: Lucy.Seymour@westsussex.gov.uk [mailto:Lucy.Seymour@westsussex.gov.uk]
Sent: 16 July 2009 13:54
To: Keith Morgan
Subject: ADC/0247/09 68-70 Brighton Road, Lancing

Hi Keith,

To enable me to assess the potential impact on the highway at this location, please could you let me know how many residents the care home can accomodate at present.

Many Thanks,
Lucy

Lucy Seymour | Senior Technician, Local Development, West Sussex County Council | Location: Second Floor Northleigh, Tower Street, Chichester, PO19 1RH
Internal: 56736 | External: 01243 756736 | E-mail: lucy.seymour@westsussex.gov.uk

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DISTRICT COUNCIL

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Carl Moore
Atterbury Moore Assocs
Unit 1
Gosling Croft Business Pk
Clapham
WORTHING BN13 3UT

Contact: Keith Morgan

Our ref: 13.41

Your ref:

Date: 18 May 2009

Dear Mr Moore,

Mermaid Lodge Mental Disorder Care Home, 68/70 Brighton Road, Lancing: Proposed extensions

Thank you for your letter of 6 May 2009 with plans and photographs.

The most fundamental consideration is that the site is within a Zone 3A flood risk area as identified by 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 would not only include the floor level of the proposed extensions but also whether there is a dry safe means of escape were a flood event to occur. I would refer you to the Environment Agency's website for guidance on the matter but would point out that they may object to the development. You may, therefore, wish to discuss it with them before proceeding further.

As regards the design of the side extension, normally I would say that it would be better if it more closely resembled the original building house (and the previous extension on the western side). However, to achieve the floorspace required, this would appear to entail double gables with an intervening 'valley'. As seen from the east, this would appear visually unattractive and so the submitted design, is to be preferred. The reduced eaves height of your 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.

If an application were submitted, in addition to the EA (above), we would have to consult WSCC for transport/highways advice. In addition to car parking, secure covered cycle parking is likely to be needed but I would think it unlikely that they would raise an objection.

Yours sincerely,

Keith Morgan
Planning Services Manager

Development Control – Delegated Officer Report

Application Number: ADC/0247/09 Recommendation - REFUSE

Site: Golden Sands & Mermaid Lodges Mental Disorder Care Home, 68/70 Brighton Road, Lancing BN15 8LW

Proposal: Proposed 6-bedroom three-storey side extension and single-storey front extension

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 application referred to 10 residents and the present proposal would increase the number to 16. Although in one ownership, they have separate entrance halls and names.

The 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).

Consultations and Representations

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

Environment Agency: Objects and recommends refusal because the site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to PPS25, the applicant has not submitted a Flood Risk Assessment (FRA). In the absence of the latter, the flood risks associated with the proposal are unknown. Also comments that the proposal is located on a secondary sea defence and their consent is required for any works on it – any application to them would need to include calculations demonstrating the structural integrity of the defence would not be compromised.

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: 4 letters have been received from residents of No's 2, 4 & 5 The Herons, on the opposite side of the A259, and from the owners of the Golden Sands holiday caravan park.

The residents of the houses opposite object on grounds that the extension is so large it would block their view of the sea; that the existing building is out of keeping with its surroundings and in such a poor state as to be an eyesore and it should not be extended further; it would cause loss of light; it would add further traffic to the already congested A259 and cause safety risk; there is no need for the extension and a larger property should be acquired if it is too small; and loss of value to nearby properties.

The letter from the owners of the Golden Sands holiday caravan park states that the applicant has no right of way over their access road and queries how construction materials would be delivered without damaging this road and causing traffic issues, as also would traffic arising from occupation of the large 6-bedroom extension itself; insufficient parking provision; queries as to the materials given the existing variety; and queries about whether mentally handicapped people could be evacuated in the event of flooding.

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 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.

Access and Parking

Unacceptable traffic generation is cited by residents 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 owners of the caravan site deny any right of way over the private access road to serve the extension. However, this is a civil matter between the parties concerned. The existing premises already have garaging on the lower ground floor accessed from the rear and there is space for additional on-site parking.

Flood Risk

The most 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 would not only include the floor level of the proposed extensions but also whether there is a dry safe means of escape were a flood event to occur. The applicant's agent was informed of the need for an FRA prior to submitting the application but has not submitted one and instead states in his 'Design & Access Statement', under 'Layout' that his client contacted the Environment Agency and was told that the alternative means of escape at the front was acceptable. However, the EA do not accept this.

The Environment Agency recommends refusal because the site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to PPS25, the applicant has not submitted a Flood Risk Assessment (FRA). In the absence of the latter, the flood risks associated with the proposal are unknown.

Recommendation

REFUSE for the reason that:-

1. The site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to the requirements of PPS25 'Planning and Flood Risk', the applicant has not submitted the necessary Flood Risk Assessment. In the absence of the latter, there is insufficient evidence to demonstrate that the occupants of the proposed extension would not be put at unacceptable risk.

Case Officer..... Date.....