# Development Control – Delegated Officer Report

**Development Management - Delegated Officer Report**

**Application Number:** **AWDM/1766/16**

**Recommendation –** Approve

**Site:** 55 Riverside Road, Shoreham

**Proposal:** Demolition of existing conservatory and lean-to and construction of two storey rear extension and balcony. Increase in ridge height by 300mm. Proposed porch to front elevation. Single storey extension to side to replace existing garage (resubmission of AWDM/0145/16).

**Last visited:** 10 January 2017

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

The site relates to a bungalow located on the north side of Riverside Road. The bungalow has a garage attached to the side (east) which is linked to a matching garage and bungalow to the east. The rear garden backs onto the River Adur and is within flood zone 3b whilst the bungalow itself is within zone 2. The ground level slopes down to the north towards the river. There is an existing single storey rear conservatory which the application seeks to replace.

This application follows a previous permission AWDM/0145/16 for an identical development but the current application is made with the request of removing condition 3 which relates to contamination investigation and remediation.

The application proposals remain as per the original permission which were as follows:

Permission is sought for an extension to the rear of the bungalow over two storeys which incorporates accommodation within some of the existing roofspace and includes an increase in ridge height of 300mm by increasing the pitch of the front roof slope. A porch is proposed to the front elevation which would measure 2.7 metres in width and 1.2 metres in depth with the side wall protruding a further 1.3m, supporting a roof overhang of the same depth. A single storey flat roofed side extension is also proposed to replace the existing side garage (over a reduced footprint of 1.35 metres in width and to the full depth of the existing bungalow). This has been designed with a parapet and would measure 2.7 metres in height.

The single storey section at the rear would replace the existing conservatory and would extend to the same depth (3.95 metres) from the original rear wall as the existing structure and would measure 8.1 metres in width (approximately 0.9m increase in the width of the existing conservatory footprint). An extended rear patio has been included set at floor level. The ground floor would be finished in a combination of painted brick and cedar cladding with a central glazed section. The first floor accommodation would be an extension to the rear roofslope, spanning across the full width of the bungalow, 3.9 metres in depth and 5.6 metres in height overall from ground level. The first floor would be treated as two main elements in terms of external finish with one side proposed in render (which would continue to ground floor level) and the right hand side clad in red cedar. This cedar section would also include a 1.35m by 3.5m rear balcony area serving the master bedroom with railings and obscure glazed screens. There would be a full height picture window set above the ground floor glazed section.

**Relevant site history**
AWDM/0145/16 Demolition of existing conservatory and lean-to and construction of two storey rear extension and balcony. Increase in ridge height by 300mm. Proposed porch to front elevation. Single storey extension to side to replace existing garage. Approved 19.04.2016

274/58 – Two bungalows Approved 17.11.1958

SU/413/77 – Extension of lounge and porch, alterations to kitchen and to form new cloakroom Approved 7.11.1977

**Consultations**
Environmental Health – require the full contamination condition to be attached and an informative advising the applicant of the potential for PFA

Further clarification was sought on the specific request to delete the condition and on a contamination testing report that the applicant provided from the Environment Agency and the Environmental Health Officer commented as follows:

*The full condition and PFA informative are still recommended for this site as ASI's report (ref.: R16-11505, dated July 2016) has identified the presence of asbestos and elevated concentrations of lead within the made ground, at levels considered to pose an unacceptable risk to human health. This Department also recommended the addition of the full condition and PFA informative for the adjacent flood defence work.*
*The full condition and PFA informative are recommended for this application if the proposed works involve breaking the ground surface. If works have commenced prior to the appropriate planning permission(s), I understand this would be a matter for Planning Enforcement.*
*With regard to the EA's e-mail, I am unable to comment without sight of the report/testing to which the e-mail refers.*

*There were three exceedances for lead concentrations:*

- *HA6 (311 mg/kg);*
- *HA7 (203 mg/kg);*

- *HA8 (411 mg/kg)*

*and asbestos identified at HA7 (chrysotile) and HA8 (amosite). Consequently, the remedial measures of a 100 mm thick concrete slab and/or 300 mm depth certified clean material in areas of soft landscaping was recommended for the proposed works. Although other sampling locations did not return elevated concentrations of contamination or identified presence of asbestos, this does not mean contamination doe snot exist elsewhere on site, therefore a watching brief should be maintained throughout the works (plus works halted and Planning or EH contacted if suspected contamination is discovered).*

**Representations**
None

**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**

The application was assessed previously in relation to impact on neighbour amenity, design and visual amenity and flooding and was found to be acceptable on those aspects. The application details and site circumstances have not altered in this respect.

The reason for the current application is that the applicant objected to the imposition of the full contamination condition which primarily relates to the proposed construction of the single storey extensions to the rear and side and the front porch. The footprint of the rear extension is slightly larger than the previous conservatory structure and the ground floor extensions are slightly larger than what would be permissible as permitted development.

The applicant has previously made an application to discharge condition 3 of AWDM/0145/16 and in doing so appointed Ashdown Site Investigation to carry out a ground contamination risk assessment and remediation strategy and verification plan.

The applicant has written the following in support of the application:

'The extension we are building (10 x 4 m) is the same footprint as the existing conservatory and the surrounds will be covered with a concrete oversite and hard landscapes, and is totally disproportionate to the size of the garden. We will not be excavating any of the garden either front or back and feel it is very unfair to be asked to undertake thousands of pounds worth of work, which includes removing trees and soil when we are going nowhere near the soil in the garden.'

The applicant has previously suggested that the cost of these works would be in the region of £20k.

At the site visit it was noted that works have commenced in respect of the previous permission and Legal Services, in relation to a previous similar case, have confirmed that such a condition is difficult to enforce.

In any case, the planning system should not duplicate other legislation. Rather than a full condition, it is considered that the precautionary informative would be sufficient in this instance.

**Recommendation**

**Approve**
**Subject to Conditions:-**

1. Approved drawings
2. Standard time limit 3 years
3. Materials as per approved plan
4. Balcony screens
5. No further side windows

**Informative**

1. This site is situated on or adjacent to a site which has been identified through Adur and Worthing Councils' Contaminated Land Inspection Strategy as having the potential to be contaminated. If during development, any visibly contaminated or odorous material, (for example asbestos, stained soil, petrol/diesel/solvent odour, underground tanks/vessels or associated pipework) is found to be present at the site, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on this site. It is advised that no further development shall be carried out until it has been investigated. It is recommended that the Local Authority's Environmental Health Department is contacted for further advice.
2. The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.
3. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
4. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Rebekah Smith Date: 17 January 2017

Authorised by: Peter Barnett Date: 17 January 2017