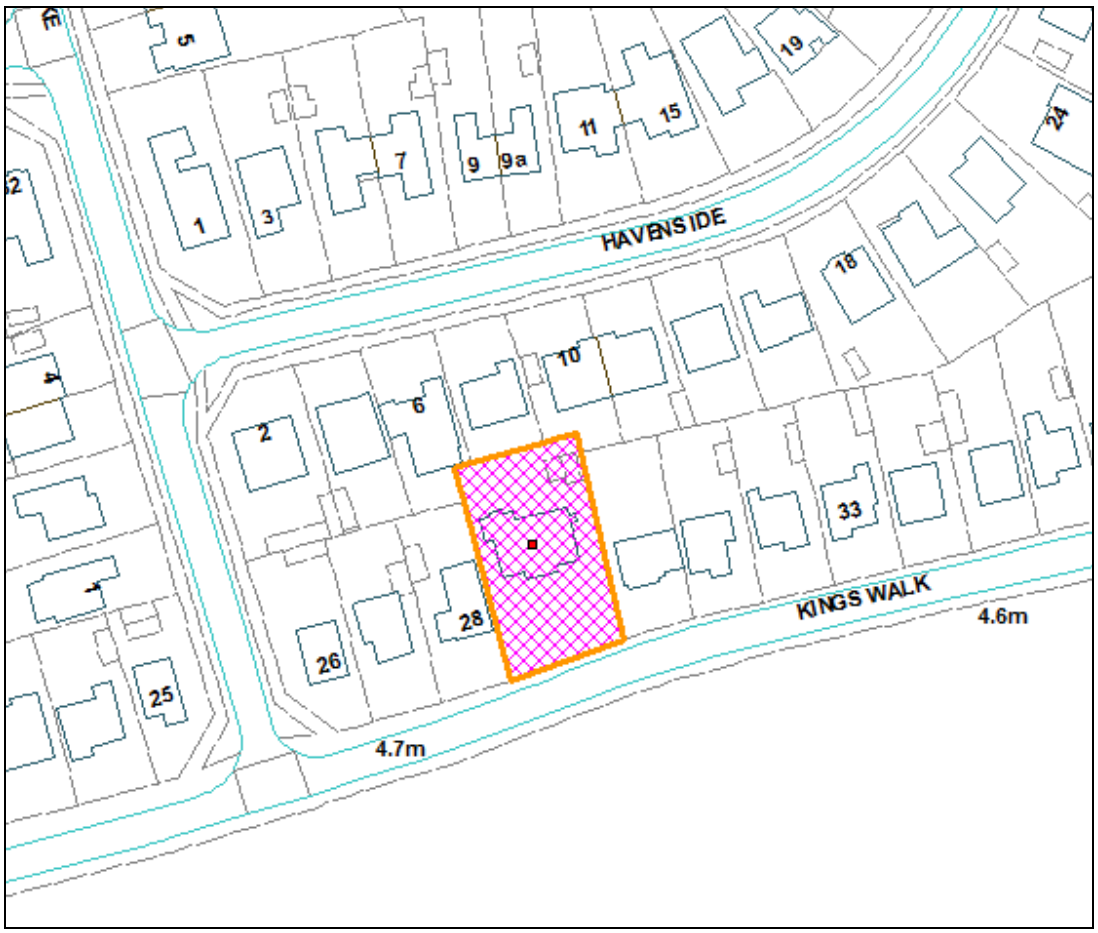
Application Number: AWDM/0720/19 **Recommendation – REFUSE**

Site: **29 Kings Walk, Shoreham-By-Sea**

Proposal: **Demolition of detached bungalow and erection of 1no. three bedroom detached dwelling and 1no. four bedroom detached dwelling, set over three floors with South facing balconies at first floor level**

Applicant: Mr & Mrs Huxtable And Dier Ward: Marine
Case Officer: Peter Barnett



Not to Scale

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Consideration of this application was deferred at the previous Adur Planning Committee on 1 July to enable a site inspection to be carried out by Members.

The report has also been updated to include two additional representations which had not been reported previously.

Proposal, Site and Surroundings

The application site comprises a detached hipped roof bungalow with rooms in the roof served by front and rear dormers, and which sits between two storey dwellings on Kings Walk on a plot 20m wide. It is set further back into the site than its neighbours. At the rear there is a two storey dwelling in Havenside with bungalows either side, one of which has rooms in the roof served by a rear dormer.

The application proposes to demolish the existing bungalow on the site and erect a pair of detached three storey dwellings, with the top floor of accommodation provided within the roof. The buildings will have a gable end at the front containing glazed doors and a Juliet balcony, with a hipped roof at the rear. The top of the building will be flat roofed, with a pitched roofslope on the sides, containing a dormer window with angled side walls on the 'inner' roofslope of each building.

Both dwellings will have integral garages and front balconies at first floor at the front. Plot 1 would have 3 bedrooms with a kitchen and living room at first floor level. Plot 2 would have 4 bedrooms with a living room at first floor and kitchen at ground floor. Neither house would have living accommodation on the ground floor, although Plot 1 would have a study and day room at that level. They would be 8.4m high at their highest point with an eaves height of 5m. They are to be finished in a mixture of brickwork, render and cladding with a tiled roof, Plot 1 having a rendered finish on the ground floor at the front and Plot 2 a brickwork finish.

The buildings will be brought forward and will be staggered. Plot 1 will be level with the front wall of No.28 to the west; Plot 2 will project marginally in front of No.30 to the east.

Relevant Planning History

AWDM/1302/15 - Erection of 2no. three-storey detached houses with associated parking and turning to replace existing bungalow - withdrawn.

AWDM/1080/16 - Erection of 2no. three-storey detached houses with associated parking and turning to replace existing bungalow and annex accommodation – refused and dismissed on appeal.

The Inspector felt that the proposed dwellings would not be sympathetic to the surrounding area. The dwellings in Kings Walk were identified as having a predominant hipped roof form and a two storey scale. However, no harm was identified in terms of overlooking of neighbouring properties, including those in Havenside to the rear.

Consultations

West Sussex County Council – The **Highways** Officer has no objections subject to conditions to secure car and cycle parking. The Officer advises that the garage for Plot 1 does not meet the minimum internal specifications and cannot be counted towards parking provision for the dwelling.

Adequate space exists on site and on street without causing a detriment to highway safety.

Adur & Worthing Councils – The **Environmental Health** Officer has no objection but requests an informative advising to contact EH for demolition and to advise of PFA.

The **Private Sector Housing** Officer has requested that an informative is placed on any permission to advise of actionable hazards under the Housing Act.

The **Drainage Engineer** recommends surface water disposal details are reserved by condition.

Southern Water – Requests usual informatives

Environment Agency – No objection subject to condition requiring all sleeping accommodation to be located on the first floor and above.

Representations

Original Plans - 9 letters of objection received from the occupiers of 6, 8, 10, 12, 14 Havenside plus 28, 30, 39 Kings Walk, 2 Mardyke:

- Previous objections and reasons for refusal remain relevant
- Design and appearance out of keeping with the character of properties in the area
- Roof heights will not match
- Style will not reflect size and shape of existing detached homes along Kings Walk
- Three storey building is not in keeping
- Overlooking, loss of privacy
- Loss of light
- Insufficient headroom on top floor – do not wish to see future increase in height at building stage so design must be rejected now or subject to a maximum height restriction
- Dispute points in Planning Statement
- Better design but could set precedent for similar developments which will eventually change the appearance and character of the area
- Increased noise

- Would be pleased to see current mess on site cleared up and are happy to co-operate with any reasonable plan
- Shape of the roof is better but dwellings have moved closer to Havenside than previous scheme and will be more intrusive
- Too large for site and area
- No other plot in Kings Walk has two large properties on it
- Overdevelopment
- Cramped
- Eaves height still higher than those of neighbouring properties
- Setting back of houses will cause significant loss of light and overlooking to rear of 30 Kings Walk
- The site is a disgrace with building rubbish everywhere
- Flank and rear elevations are visually bold and stark and add to perceived mass and visual dominance of the proposed buildings
- Overbearing

Amended Plan showing revised position of dwellings on site - 4 letters of objection received from the occupiers of 28, 30 Kings Walk, 10 Havenside, 2 Mardyke:

- To revert to the original rejected position on site seems ridiculous given the grounds of rejection
- Loss of amenity and overlooking effect on No.28 are considerably worse than with the buildings further back
- The position is well forward of the property lines of Nos 28 and 30
- Moving houses forward makes no major difference and previous objections still stand
- Houses are still 3 storeys which will overlook neighbours
- Overdevelopment
- Site is not large enough to result in redevelopment at a higher density
- Contrary to emerging Shoreham Beach Neighbourhood Plan
- Houses will have less frontage than others in Kings Walk
- Out of character
- Overlooking of No.30 Kings Walk from proposed balcony on Plot 2 and from windows on the third storey as they will be in front of No.30
- Loss of light to front rooms of No.30
- Plot 2 will be overly dominant

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 18, 20, 22, 28, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
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) that provides 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

Principle

The proposal comprises new housing development located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the site and its surroundings.

The Adur Local Plan 2017 defines a housing supply target of 177 dwellings per annum which can be achieved through a combination of strategic allocations, completions, existing commitments and windfall sites such as this.

Section 12 of the NPPF stresses the importance of achieving well-designed places and Paragraph 130 advises that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

Visual amenity

The existing bungalow sits within a considerably wider plot than its neighbours. It also has a lower roof height and sits deeper into the site. Its demolition and replacement with a larger building, or pair of buildings, is considered to be acceptable in principle given the size of the plot and the character of development along Kings Walk, which consists predominantly of 2 storey dwellings.

The main consideration is whether the scale and form of the proposed dwellings is in keeping with the overall street scene. Previous applications in 2015 and 2016 proposed a more contemporary form of development but it was not considered that the development would be in keeping with the form and scale of development in Kings Walk, which is generally quite traditional in nature, with pitched tiled roofs and a largely consistent eaves height. In dismissing an appeal in 2017 the Inspector wrote:

"*There are many examples of similar (contemporary) properties along the south side of Brighton Road between Lancing and Shoreham, but none within Kings Walk itself. The*

sail form of the roof would be incongruous with the predominant building form of hipped roofs and thus the proposed dwellings would not reinforce local distinctiveness."

The current application has revised the design of the proposed dwellings to more closely reflect the predominant two storey form in the street, but with a second floor within the roof. They will have a front gable with Juliet balcony, a dormer and rooflights to the side and a hipped roof with rooflights at the rear. The window within the front gable at second floor reflects the design of 39 Kings Walk which has a two storey pitched roof form and does not appear out of place within the street scene.

However, that building has a fully pitched roof and lower eaves than the dwellings proposed here. In order to keep the height of the dwellings consistent with those of their neighbours at Nos 28 and 30 a crown roof has been used in the design (i.e. a roof which has side slopes which are divided by a flat roofed element). The architect has attempted to disguise the flat roof through the use of half round tiles around the edge of the roof. Nevertheless, the dwellings have an awkward appearance at odds with the fully pitched roofs and central ridge form of the majority of dwellings in the street. The higher eaves further emphasise that the form of the dwellings does not successfully assimilate with the surroundings. The design is considered to be contrived and does not reflect the predominant pitched roof form of buildings in the street. The proposed dwellings would therefore be out of keeping and visually harmful to the area.

Residential amenity – impact on neighbours

The proposed buildings have been brought forward from the position of the existing bungalow on the site and are no closer to the rear than the previous scheme. Plot 1 will be 16.9m from the rear boundary while Plot 2 will be 16.2m away. The nearest property at the rear is 8 Havenside which has a very short rear garden of only 5.3m, which has been reduced further following the construction of a conservatory which leaves a distance of only 2.9m to the boundary. The distance between the proposed 2 storey buildings to the conservatory is therefore about 19m-20m at its closest point. This is less than the 22m distance required by the Council's DM Standard No.1. However, this distance was considered by the Inspector at the previous appeal and she stated:

"*the proposed dwellings would be positioned further forward in the plot than the existing house, so that there would be about 20 metres separation between them and the nearest properties on Havenside. This would be adequate to avoid any unacceptable overlooking of these neighbouring properties, even taking into account the greater height of the house*."

She went on to state:

"*the outlook from first floor windows in properties to the north would be altered as the development would have a greater height and width, but as the dwellings would be much further away than the existing house the harm would not be so great as to make the development unacceptable in this respect*."

She also found there would be insufficient harm to the side windows of Nos 28 and 30 Kings Walk "*to warrant dismissal on this matter alone*."

The current proposal has even less impact on neighbours due to its more sympathetic form and an objection on residential amenity grounds is not considered to be sustainable.

Residential amenity – proposed occupiers

The proposed dwellings comfortably exceed the minimum national housing standards for 3 and 4 bedroom houses and the Council's minimum external amenity space standards.

Flood Risk

The application is accompanied by a Flood Risk Assessment which identifies that the site falls within flood zones 1, 2 and 3 but that the actual dwelling itself is within flood zone 1 and 2. The proposed dwellings would also be within flood zone 1 with only a very limited amount of Plot 2 falling within Flood Zone 2. All sleeping accommodation will be on the upper floors. This is the same as with the previous application when no flood risk concerns were raised. The application suggests that that the development will incorporate flood mitigation measures and will adopt flood warning procedures.

As such, there are no flood risk concerns with the development and the Environment Agency has not raised an objection.

Parking and Access

The site currently has 2 vehicular crossovers and these will be utilised to serve the proposed dwellings. Each dwelling will have an integral garage and 2 parking spaces in front of each of the buildings. It should be noted that the garage to Plot 1 does not meet the minimum internal specifications and cannot be counted towards parking provision for the dwelling. Nevertheless, sufficient parking is considered to be provided to serve the development

There are no highway safety concerns with the development.

Recommendation

REFUSE for the reason:-

1. The proposed dwellings, as a result of their design and form, incorporating a crown roof and higher eaves, do not relate sympathetically with neighbouring dwellings and the existing predominant character of Kings Walk, to the detriment of the visual amenities and residential environment of the area. The proposal therefore

conflicts with Policy 15 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework relating to good design.

5th August 2019