Expiry Date -

Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0418/13

Site: **Land south of White Lion Court Ship Street Shoreham**

Proposal: **Variation of condition 2 (approved plans) imposed on AWDM/0026/12 to allow for variation to design of previously approved 4 x 3 bed terraced town houses**

Neighbours checked: Y

Additional neighbour notifications: /N

Proposal, Site and Surroundings

The proposal is for amendments to a previously approved scheme (4 no. 3-bedroom terrace houses with 4 car parking spaces). These involve changes to the architectural detailing of the scheme and are listed out in full in the Design and Access Statement which accompanies the submission.

Amongst the changes are the fire walls within the roof omitted, the second floor windows changing from sash windows to casements and windows and doors generally will be a powder coated metal frame window/ glazed door, the use of flint blocks being acceptable – flints to be knapped, use of cast coping stones with those to the front elevation at ground floor raised back up to the height shown on the planning drawings and the balustrade and handrail set at the rear of the parapet, and proper gauged arches.

The application site is a former car park, presently enclosed with hoardings. It is bounded to the rear (west) and south side by a flint wall. Within this wall are two gates giving pedestrian access to the rear gardens of No. 14 Ship Street and No. 14 West Street.

Relevant Planning History
AWDM/0026/12
Proposed residential development comprising 4 x three bedroom terraced town houses
Approved Conditionally 01.06.2012

Consultations

Adur District Conservation Advisory Group*: General consensus is to approve. However, it was generally felt that it was impossible to arrive at a definitive conclusion in the absence of any pictorial evidence showing the difference, if any, between the flint blocks & the original flint design. One member feels that applicants should adhere to original terms of approval unless they are going to "upgrade". Members feel that in both cases there was insufficient*

evidence accompanying these applications & the comments raised apply to our request that future applicants should be made to submit more accurate drawings/photographs etc. which was the discipline operated by Adur D.C. Planning Department in previous years. Without such details it is becoming increasingly difficult to arrive at a sensible decision. Perhaps this could be noted & enacted upon.

West Sussex County Council: *consulted previously on Highway Matters for this location under planning application AWM/0026/12 to which no objections were raised. The application was later granted consent by the LPA and this application seeks to amend the approved plans of this consented scheme. From inspection of the documentation provided only one proposed amendment could have an impact on the public highway, this is to change the garage doors form 'sideways sliding' doors to 'up and over' doors. It is appreciated that each dwelling is set back approximately 1.0 metre away from the public highway, however I would request that the applicant provide further information to demonstrate that the proposed doors do not at any point in the opening or closing action overhang or interfere with the public highway in this location. The Highways Authority would not be in a position to support garage doors that overhang or interfere with the public highway.*

Adur and Worthing Councils: *The Building Control accepts balcony balustrade shown on Drawing 33 13C will not be readily climbable by an infant.*

Representations
Objection received from occupier of No. 11 John Street, content summarised below:
Ship Street extremely narrow road and obtrusion would cause a great deal of inconvenience and concern. Process of building would take many months – mean constant lorry parking plus builders cars. I speak as an elderly widow – it would cause chaos in Ship Street.

Policies and Guidance
Adur District Local Plan: AG1, AB1, AB3, AB4, AH2, AH5, AB15, AB27
National Planning Policy Framework

Planning Assessment

Principle
Approval of AWDM/0026/12 deemed this residential scheme acceptable. Progress has been made on emerging local plan policies and the National Planning Policy Framework has been adopted since this decision. However there is no material change in policy circumstance to warrant a contrary decision to the earlier approval.

Visual amenity, character and appearance, and Heritage Asset s

The scale, bulk, and architectural design of the development were previously agreed in approval of AWDM/0026/12. This was deemed to enhance the Conservation Area and setting of Listed Buildings (even numbers running from No. 6-16 West Street and St Johns Court opposite the application site). There are no material site circumstances to warrant a contrary decision.

Turning to the suggested amendments, hand built flint would continue to be used on the important front elevation but flint block panels are now suggested to the north side elevation. This is acceptable as the sample block panels are of high quality and this is a less prominent elevation. The movement joints are discreet elements to the overall scheme, and the suggested mounding coping would sufficiently resemble the previously reconstituted stone coping. An amended design has been agreed to the front balcony and balustrade to avoid the ability of people to climb up onto it whilst retaining a sympathetic design. The new garage door openings can be secured by condition. The loss of the fire walls would not be detrimental to the quality of the scheme as the stagger in the terrace alone is equally effective at breaking up the bulk and mass of the development. Overall these amendments ensure a continued high quality scheme to this sensitive site.

Residential amenity – Future occupiers

The proposed amendments do not lessen the satisfactory living conditions previously approved in the earlier scheme.

Residential amenity – effect on existing dwellings

Like before the main properties affected by development are the flats within White Lion Court to the north; the neighbouring house at No. 14 Ship Street to the south; and the houses to the rear, Nos. 12, 14, and 16 West Street.

The relationships and distances between the development and those immediate neighbours are not materially altered from what was previously deemed, which was deemed un-harmful to the living conditions of nearby residents There has been no material change in site circumstance since the decision to warrant a decision contrary to the earlier approval.

Accessibility and parking

The proposed amendments do not alter the previously approved parking provision shortfall, which was deemed acceptable due to the site's sustainable location.

The change in the type of garage door from a sliding door to "up and over" would not create additional obstruction to highway users as the length of time drivers would have to wait in the street for the "up and over" door to fully open is not excessive (some 3 minutes) compared with the previously proposed electric vertical sliding door. So no material highway safety danger would result from this amendment.

Archaeology

In the earlier application the County Archaeologist recommended further information on building depths and infrastructure excavations to be secured by planning condition.

Archaeological features were proven to exist on site in June 2011 following an exploratory archaeological investigation. The County Archaeologist confirmed the upper surface of the archaeological features survive at just over 1 metre below

the tarmac surface of the existing car park. Without damage to the medieval and Roman features, no further archeological mitigation measures would be needed.

The developer has confirmed the excavations for new foundations could reach 1 metre deep, but not deeper: so conserving the archeological features intact. The Council's Building Control department confirms this is feasible.

As this has been confirmed, the condition can be reworded to allow the development to proceed *on the basis* that the base excavation levels of intended foundations for the new houses and of major infrastructure (e.g. deep soakaways) is not more than 1 metre deep.

Contaminated land

The site is not identified as contaminated so an informative would suffice to raise the applicant's awareness of this risk.

Recommendation

APPROVE for the reason:-

The proposed amended development is within the built-up area and would help meet the need for additional housing without detracting from designated Heritage Assets and the surrounding environment. It can take place without resulting in unacceptable detriment to the amenities of neighbours and without detraction from highway safety. The loss of the former car park has been compensated for by improved town centre provision at Pond Road. The proposed development does not materially conflict with the relevant saved policies of the Adur District Local Plan AG1, AB1, AB3, AB4, AH2, AH5, AB15, and AB27 and the National Planning Policy Framework.

Subject to Conditions:-

1. Time limit
2. Approved plans
3. Excavation levels of foundations/infrastructure no more than 1 metre deep, and built out in accordance with Archaeological Evaluation dated June 2011
4. External surfaces, including hard landscaping as approved
5. No development unless in accordance with Construction Method Statement including no work on Sundays or on Public Holidays. On all other days such work only implemented between 8am and 6pm
6. No occupation unless parking spaces and access facilities including bollards provided. Not used for any other purpose
7. No occupation unless cycle storage provided. Not used for any other purpose
8. No occupation unless boundary treatments provided and retained
9. No extension or any incidental building over 5 cubic metres
10. No cables, wires, aerials, pipework (except shown on approved drawings), meter boxes or flues fixed or fitted externally to building elevation facing highway
11. No walls or fences forward of the front elevation of dwellinghouse facing highway

Informatives

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.

> '*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.*'

The applicant is advised to contact the Coastal Team, Community Development and Big Society, Communities and Infrastructure Directorate, Centenary House, Durrington Lane, Durrington, Worthing, West Sussex BN13 2QB, Phone: 01243 642105 to obtain a license for the site access works.

Is recommendation contrary to any representations? N

Case Officer signed: Matthew Porter Date: 2-9-2013

Authorised and signed by: Peter Barnett Date: 3 September 2013