Expiry Date – 13/7/18, ppa 5/10

Development Control – Delegated Officer Report

Application Number: AWDM/0737/18 Recommendation – Grant

Site: 40 Old Shoreham Road, Lancing

Proposal: Detached self contained annex to side garden (east) for dependant relative 'Revised Proposal'

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 2/10

Site and Surroundings

This application relates to a 1950's chalet bungalow on the south side of Old Shoreham Road and corner of Manor Close to the east of Lancing roundabout. The property is set in spacious grounds with both a large front and rear garden.

The property is not in a conservation area and is not listed. The site is not the subject of Tree Preservation Orders.

Proposal

Planning permission is sought for a detached 'L' shaped annexe building for a dependent relative on the east side of the house, approximately 2 metres away. The application has been revised since first submitted both in design terms and in its position. The building has been handed and positioned further from the boundary with No. 42, 2.8 metres at its nearest. It is also now flat roofed and reduced in height to 3.132 metres maximum, from 3.5 metres. It has a maximum width of 8.48 metres and a maximum depth of 5.4 metres. Windows have been repositioned with only the front door on the north elevation. The building has also been revised in response to the Environment Agency's comments to set the finished floor level 600mm above ground level.
The plans show the building set on a brick plinth with light grey composite cladding under a flat roof.

Relevant Planning History

L/132/90 – Replacement garage. Granted 23.6.90

L/88/88 – single storey side extension. Granted 19.2.88

L/15/88 – single storey west side extension. Granted 15.6.88

Consultations

Environment Agency:

'Following the submission of a suitable Flood Risk Assessment we are happy to remove our outstanding objection subject to the inclusion of the following condition, in any permission granted.

We consider that planning permission could be granted to the proposed development, as submitted, if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition – Implementation of Flood Risk Assessment
The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 07 S and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 600mm above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason
In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants.

Advice to Local Planning Authority/Applicant

Flood proofing
We recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Additional guidance can be found in our Floodline Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188 or can be found on our website www.gov.uk click on 'flood' in subjects to find out about, and then 'floodline'.

Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please email: communities@twoten.com for a copy or alternatively go to: http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf as well as the communities and local Government publication 'Improving the flood performance

of new buildings' which can be viewed at: http://www.communities.gov.uk/publications/planningandbuilding/improvingflood

Flood emergency response advice

We recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan.

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.'

Council's Drainage Engineer:

'Thank you for the opportunity to comment on this application.

The site lies in flood zone 3, and is according to EA modelling subject to possible surface water flooding; however there is no record of the property ever being flooded by fluvial flooding.

The area is also susceptible to groundwater flooding, this combined with heavy rain has previously caused issues in the area with waste water flooding - again this property was unaffected by the resultant pluvial flooding.

There is a piped watercourse running through the garden and this strategic asset is the subject of the representation raised by Mr Freeman on behalf of the Adur Floodwatch Group.

I met the applicant on site today and discussed with him the areas flooding history and his role as a riparian owner.

We then lifted the manholes on the culvert run, and it is apparent that the proposed extension forming the subject of this application will not impinge on the culvert alignment. Therefore on the basis of the applicants' awareness of the flooding issues and his intentions to undertake necessary flood precautions I have no issues with the proposals.

Foul Sewage from the unit is to be disposed of to the Southern Water Foul Sewer system; this may require the unit to have a Saniflow or similar unit installed.

Surface water should be disposed of either to the existing surface water system serving the property or to a new soakaway in the garden.

Thanks for the new plan the north eastern corner of the building has moved back from the fence, the original dimension was 1.581m it now appears that it is proposed to be 2.373m. This is an improvement.
I have no objection.'

Adur Floodwatch Group:

In respect of the above application Adur Floodwatch Group has no objection to this proposal.

However, may we point out that through that property's garden a 600mm drainage culvert is located. This is the main surface water drainage facility in the vicinity which drains North Lancing and the A27 section (north of the site and to the west of it) into the Lancing Brooks ditch network.

Attached is a plan taken from the WSCC lead drainage authority's CH2MHill report 2015 which shows the street drainage runs in that area. This does not include the A27 drainage system at that point.

The culvert location indicated by the CH2MHill plan is somewhat indicative. This culvert has two inspection chambers within this property, one on the frontmost lawn and the other in front of the wall between house and the garage. Looking at the HE plans for the A27, the one in the lawn, also appears to serve the A27 drainage connection to this culvert. (Another one at the head of Manor Close also has flows into it from the A27 before the culvert passes into 40 Old Shoreham Road).

The concern is to be certain that the footprint/slab footing of the proposed annexe does not cover the ground above the culvert as it runs eastwards which will inhibit access to the run of pipe is required at any time in the future.

A copy of this email has been sent to Ken Argent, Technical Services, who will be able to advise technically on this. If it does cover the run of culvert, and Technical Services see this as an issue, could the location of the building moved to a position where it is clear of this key run of drainage?

West Sussex County Council (WSCC

'West Sussex County Council (WSCC), in its capacity as the Lead Local Flood Authority (LLFA), has been consulted on the above proposed development in respect of surface water drainage.

The following is the detailed comments of the LLFA relating to surface water drainage and flood risk for the proposed development and any associated observations and advice.

Flood Risk Summary

The site is shown to be within an area of high surface water flood risk, according to the EA Surface Water mapping although the proposed annex building itself primarily lies within an area of moderate flood risk.

The area of the proposed development is shown to be at high risk from groundwater flooding based on current mapping.

These risks are based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events.

Future development - Sustainable Drainage Systems (SuDs)

Due to the size of the development no FRA/Drainage Strategy has been provided although an on-site meeting between the District Council Drainage Engineer and the applicant has ensured that there is no issue with the culverted watercourse and the method of surface water disposal for this annex has been agreed.

As the development lies within Flood Zone 3, the EA should be consulted.

Please note that Schedule 3 of the Flood and Water Management Act 2010 has not yet been implemented and WSCC does not currently expect to act as the SuDS Approval Body (SAB) in this matter.'

Health:

The applicant should be aware that the area of development has been identified by DEFRA as an area severely affected by traffic noise. Consequently, a noise assessment for the site should be carried out which should follow the principles of new guidance, ProPG: Planning and Noise, and should deliver the internal noise level guidelines set out in BS8233:2014. It is unclear from the application what the structure of the building will be and what sound attenuation it will provide. The noise assessment will consider this and will guide the development requirements. The final scheme should demonstrate good acoustic design, such as orienting the internal layout to ensure that bathrooms and kitchens are on the noisy Northerly facade and bedrooms and living space are on the quieter Southern facade. I note currently, because of the bedroom design, that the only window that could be opened at night for ventilation is that facing the road. In my view, it would be better to get rid of the french doors in the bedroom and replace them with a window that can be opened for night time ventilation and to aid thermal comfort during the summer.

I have no objections to what is being proposed in principle, but I would have to object to the scheme as presented on noise grounds.'

Highways

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

The Local Highways Authority does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.'

Lancing Parish: No objection.

Representations

No response received to the reconsultation. One objection received from the owner of No. 42 to the original proposal. Summarised as follows:

'I am concerned with the closeness of the annexe to my garden, as it is only a couple of feet away and I only have a small garden.

I am also concerned about who will live in there at a later date.

The reason I bought my property was because of the privacy it has.

I also have concerns regarding flooding as I have had my house flooded once and the sewer pipes backed up.'

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018, NPPF Technical Standards
Adur Local Plan 2017 Policies 1, 2, 9, 15, 34, 35 and 36 including 'Development Management Standard No. 1 Space Around Dwellings.

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity. Also for consideration is the impact of the proposal on local drainage and the potential flood risk to future occupiers.

Neighbour amenity.

The proposed building is 3.132 metres in height. It is positioned such that the eastern half of it runs almost parallel with the back garden boundary of No. 42. It is 2.8 metres from this boundary at its nearest. No. 42 has a short garden but it does include sheds and shrubbery on the shared boundary. The fence itself is a typical close boarded fence 1.8 metres in height. The revised proposal removes windows from the north side facing the shared boundary with No. 42, only the front door is in this elevation.

No. 42 will not be overlooked, will not lose significant light, and the scale of the building will not cause an overbearing impact.

No. 1 Manor Close, to the south, shares a rear garden boundary with the site too. The new building is at least 3.4 metres from the common boundary. The drawings show a small kitchen window and bathroom window facing south as well as French doors from the proposed bedroom. The boundary again is a typical 1.8 metre panel fence. Notwithstanding the 600mm raised internal floor level it is not considered that overlooking or loss of privacy will occur to occupiers at No. 1.

Character

The building is set well away from both street frontages and will be little glimpsed from either. There is a wall alongside the front of the parent building which prevents access to the rear garden. As such views from Old Shoreham Road will be obstructed. The main house itself will also largely obstruct views from Manor Close together with fencing on this frontage.

The building itself is not dissimilar in scale to any domestic outbuilding which can be erected under Class E of the GPDO.

Drainage

The Council's drainage engineer has reviewed the revised plans. He has also been out to site and met with the owner. He advises that he is satisfied with the proposal and that it will not impinge on the culvert alignment. Foul waste can be discharged to the existing foul system and surface water to the existing drain or to a new surface water drain in the garden, as required.

Flooding

The Environment Agency has seen the revised plans and has withdrawn their objection in light of the finished floor level being set 600mm above ground level and subject to this condition. They also advise on flood proofing measures and flood emergency response. These matters are covered in advice to the applicant in proposed informatives.

Noise

Colleagues in Environmental Health are concerned about the noise an occupier of this building will be exposed to from the A27 as DEFRA has identified this area as particularly noisy. They would like to see a noise assessment for the development in accordance with ProPG: Planning and Noise, which should deliver the internal noise level guidelines set out in BS8233:2014.

The applicant has revised the scheme to remove all windows from the north elevation, away from the A27. He has also confirmed he is happy to undertake a noise assessment which demonstrates the building will meet the acoustic requirements prior to being first occupied. He accepts a pre commencement condition to this effect.

Recommendation APPROVE subject to the following conditions:

1. 3 years
2. Approved Plans
3. Samples of materials
4. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 40 Old Shoreham Road.

5. Notwithstanding the provisions of the General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification) the garden shall not be divided in any way to create separate and self contained garden accommodation for the annex building hereby approved.

6. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) received 7.9.18 and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than 600mm above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

7. No new windows
8. Details of noise study.
9. details of foul/surface water

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The Environment Agency recommends that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

Consultation with your local authoirty building control department is recommended when determining if flood proofing measures are effective.

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3. The Environment Agency recommends that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan. Advice should be sought from the emergency services when producing an evacuation plan for this development.

4. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 4/10/18
Authorised and signed by:	Gary Peck	Date: 4 October 2018