Expiry Date – 17/10, ppa agreed to 16/11 to await EA's comments

Development Control – Delegated Officer Report

Application Number: AWDM/1075/18 Recommendation – Refuse

Site: 59 Riverside Road, Shoreham

Proposal: Demolition of existing boathouse and erection of 2 storey garden annexe building.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit:

Site and Surroundings

This application relates to a hipped bungalow on the north side of Riverside Road at its junction with flats at West Point and Sussex Court. Properties to the west and opposite are also bungalows some with roof extensions. To the east and across an access road are two and three storey flats.

It backs onto the riverbank. Recent tidal wall works has permanently closed the slipway in the rear garden. As part of these works patios are being created for 57 and 59 where the shared slipway used to be.

The property has a detached garage building on its west side which sits behind the rear wall of the bungalow. Beyond this is a single storey detached boathouse building on lower garden ground. This building cannot be seen from Riverside Road behind the garage.

The property is not in a conservation area and is not a listed building.

Proposal

Planning permission is sought to demolish the boathouse and to replace it with a 2 storey 'annexe' building. The proposed building measures 5.99 metres in height. It is wider into the site garden than the boathouse and longer towards the river by 1100mm than the existing boathouse. The southern and western walls are in the position of those of the boathouse. Windows are proposed on the south and east walls, including a first floor balcony overlooking the river. Two rooflights are shown on the west side.

The annexe shows 2 first floor bedrooms, an 'occasional sitting room' at ground floor and a combined bathroom/utility at ground floor. The planning statement conflicts with the floorplan and describes the sitting room and utility as being at first floor level.

Relevant Planning History

143/04 – Rear conservatory. Granted 27.7.04

200/71 – Conservatory. Granted 12.7.71

196/71 – Boathouse – rear garden.

Consultations

Environment Agency: *Thank you for consulting the Environment Agency. However in line with the External Consultation Checklist we will not provide any response to applications that fall outside of the checklist and this applications falls outside of it. Therefore we have no comments to make.*

Technical Services – No objection. FRAP License required.

Southern Water:

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.We request that should this application receive planning approval, the following informative is attached to the consent:

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.
Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructure-charges.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order
a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

Specify the responsibilities of each party for the implementation of the SUDS scheme
Specify a timetable for implementation

Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

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.

This proposal is for the demolition of existing boathouse and erection of a two storey annexe. The site is located on Riverside Road, a C-classified residential road subject to a speed limit of 30mph.

The site is currently served by an existing vehicular access onto Riverside Road. No alterations are proposed to the existing access arrangements. Off-street parking is available on site; however the addition of annexe accommodation may result in overspill parking. Any overspill parking as a result of the development could be accommodated on street. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety. We would not consider that highway safety would be detrimentally affected by this proposal; however, the Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

The LHA does not consider that this proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Health:

Please could the following informative be placed on any planning permission that may be granted

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the

development in order to avoid the need for any formal intervention or the requirement of retrospective works.

This application will also require the Full contamination condition and the informative regarding Pulverised Ash.

Representations

One objection received from the owners of No. 57 summarised as follows:

A two storey garden building is not in keeping with the area and would set a precedent for future developments. It is large enough that in future in could be sold as a separate dwelling or used for B&B type property.

The current height of the boathouse is 2 metres and is essentially not visible behind our garden fence and shrubbery. This is to be replaced with a new property 6 metres high, 3 times the size, almost on the property boundary, which would be unacceptably overbearing.

Whilst there may be little overall impact to the amount of light, the characteristics would change and there would no longer be any direct morning sunlight to the east side of our garden.

As part of the existing EA flood defence works, the shared slipway is being replaced and laid to patio. The proposed balcony would overlook this causing a loss of privacy.

In reviewing the proposed development on the planning website there would appear to be an error in the plans submitted. The proposed occasional sitting room and bathroom are described as being on the first floor, the floor plan shows them on the ground floor.

It is arguable that since the proposed annexe is separate from the main house, and of such a size, it could be considered a second dwelling prohibited by the Covenant on these properties.'

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of annexe development is generally acceptable within the built up area boundary. Such development however, must not cause harm to the character and appearance of the area or to neighbour amenity.

Character

The existing properties at 57 and 59 used to share a slipway. This has been closed as part of the tidal walls development. An existing single storey boathouse at No. 59 is in effect redundant and the applicant intends to demolish it and replace it with an annexe building.

The existing boathouse is on lower ground and behind the garage on site. It is also less tall. It sits quietly on the site and is not visible from the road. From the garden of No. 57 it is only a little taller than the boundary fence and trellis at 2.5 metres high but it is 2 metres below the ridge height of the garage. It can barely be seen from the access road to the east serving flats at North Point, West Point and Sussex Court. It has the scale and appearance of a garden outbuilding.

The proposed building is fully two storeys. It is 1.261 metres taller than the garage, 3.261 metres taller than the existing boathouse with a 1.5 metre increase in the eaves height of the existing and proposed buildings. Its east elevation has windows at ground and first floor which accentuates its two storey appearance.

The parent building is a modest hipped roof bungalow. The scale of the annexe building is completely at odds with the scale of the parent building and with the pattern of bungalow development west of the site and opposite. It does not reflect the prevailing character and would overwhelm the parent building. Its juxtaposition is incongruous.

The building will be clearly visible from Riverside Road and from the side access road. Its position and scale is anomalous from both roads. It does not have the appearance of a garden outbuilding or ancillary annexe. It has the appearance of a new dwelling. It would be out of character. It would not make a positive contribution to the sense of place locally.

Neighbour amenity

The scale of the proposed building would have a harmful impact on the living conditions of occupiers of No. 57. It would be overbearing in their garden. It would obstruct morning sun. The rear balcony would directly, and at very close proximity, overlook No. 57's newly created patio on the old slipway thus leading to a loss of privacy.

Conclusion

The positon, scale and design of the proposed building would be harmful to local character and neighbour amenity. It does not comply with policy 15 of the adopted Local Plan, adopted Development Management Standard No. 2 Extensions and Alterations to Dwellings and the National Planning Policy Framework.

Policy 15
Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

Development should:

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area;*

and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;

National Planning Policy Framework:

127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

130. Planning 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, taking into account any local design standards or design guides in plans or supplementary planning documents.

Development Management Standard No. 2 Extensions and Alterations to Dwellings:

The effect on neighbouring properties

2.2 Proposals will not be granted planning permission if they have an unacceptably adverse effect on neighbouring properties. The main detrimental effects could be related to:

- *Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.*
- *Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.*
- *Outlook – the fact that a neighbour may be able to see an extension would not in itself make a proposal unacceptable, the outlook of neighbouring properties should not be dominated by the extension since this could be overbearing and oppressive. However, the loss of a distant view would not normally be considered a valid reason*

for refusing an application.

The appearance
2.5 The most important basic principle is that any extension should be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally. An extension which is acceptable in a low density modern development may not be acceptable in a town centre location. In particular, the proposal should not be allowed to over-dominate the house or clash with its appearance.

Recommendation: **REFUSE** for the following reasons:

1. The proposed annexe building would, by reason of its scale, siting and design, represent an unneighbourly and overbearing form of development causing a loss of outlook, privacy and increased sense of enclosure to occupiers of No. 57 Riverside Road. As such the proposal is considered to be contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

2. The proposed annexe building would, by reason of its siting, scale, form and design, represent an incongruous, visually discordant and prominent addition to the streetscene harmful to the character of the area and to local distinctiveness. As such the proposal is considered contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 9/11/18
Authorised and signed by:	Peter Barnett	Date: 9 November 2018