Development Control – Delegated Officer Report

Application Number: AWDM/0927/16 **Recommendation: APPROVE**

Site: **6 Mill Hill, Shoreham-by-Sea, BN43 5TH**

Proposal: **Retrospective application for new entrance forecourt, retaining walls and landscaping together with the erection of a double garage.**

Date of site visit: 01.12.2015

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached house on raised ground, some 3m above the adjacent lane. Until approx.one year ago, the land in front of the house sloped down gently westwards to form a landscaped embankment abutting the back edge of Mill Hill. The latter has no pavements and the sense of enclosure created by the landscaped embankment is a feature of many properties on this side of the road, which contributes to its semi-rural character. The embankment at No.6 has been removed and the deep site frontage excavated, opening up views of the dwelling from the lane. The excavation of the land constituted an engineering operation for which planning permission should have been obtained and is the subject of an enforcement investigation (AWEN/0235/15).

Mill Hill slopes down from north to south so that the application site is lower than No. 8 to the north, and higher than No.4 to the south, a modest 1½-storey dwelling. The land at the site frontage directly abutted and was approximately level with the land height of the front garden area of No. 4, but the above mentioned unauthorised works have created a significant drop in ground level on the boundary with No. 4 into the site of No.6. No.4 has a stepped frontage mainly laid to lawn with shrubs and trees adjoining the boundary with No. 6. The main usable garden area of No.4 lies to the front of the property.

The application site and surroundings, are identified up as an ‘Amber’ ‘Archaeological Notification Area’

To the north Mill Hill continues to rise past the application site and the road crosses over and above the A27 trunk road. The properties within Mill Hill are different in design and size, and they are predominantly detached.

Proposal

The proposal seeks remedy the existing breach of planning control by reinstating a sense of enclosure along the site frontage by creating 2 No. planting beds contained within decorative retaining walls whilst providing a new double garage towards the rear of the frontage at the existing excavated level together with an enlarged driveway/vehicular hardstanding. A new set of steps will lead from hardstanding up to the house on higher ground.

Planning History

Planning permission was granted in September this year for a 2-storey front and side extension (AWDM/1041/16), but has not commenced.

Prior to this planning permission was refused (AWDM/0635/16) for a 2-storey extension to the front and south side including roof-lights and raising of ridge height (re-submission of AWDM/1611/15) on the grounds:-

1. By reason of its height, scale, massing, and depth in proximity to the site boundary the proposed extension would have an unacceptably overbearing and oppressive effect on the outlook of the neighbouring dwelling to the south, No. 4 Mill Hill, to the detriment of residential amenity. The proposal is thereby contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

2. By reason of its large scale and massing the proposed extension would constitute an unduly conspicuous and imposing form of development that fails to respond to the topography of surrounding land and would appear unduly dominant and visually overwhelming in relation to the neighbouring dwelling to the south and harmful to the street-scene. It is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

Planning permission was refused for a 2-storey front extension; detached double garage with glass balustrade; retaining walls and extended forecourt (part retrospective) in December 2015 on the following grounds:-

1. The excessive amount of hard surfacing proposed would result in a visually alien, bleak and unsympathetic form of development for this downland edge location and would detract from the semi-rural character and appearance of the locality. The proposal is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

2. The volume of excavation involving the removal of the landscaped embankment and opening up of the site frontage has resulted in vastly denuded land levels and a loss of green enclosure that is out of keeping with, and seriously harmful to the distinctive semi-rural character of this road and is detrimental to the visual amenities of the wider locality. It thereby conflicts with Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

3. By reason of its poor design and massing the proposed extension to the dwelling will result in an unsympathetic composition and one that does not respect the proportions of the existing dwelling in this elevated situation and would detract from the visual amenities of the locality. It is therefore contrary to Adur District Local Plan saved policy AH7, SPG Development Control Standard No. 3 and National Planning Policy Framework.

4. Having regard to the excessive amount of hardstanding proposed combined with the topography of surrounding land the Council is not satisfied that the proposal makes adequate provision for draining surface water run-off within the site and will result in surface water discharging onto the public highway, which would likely lead to increased risk of flooding to residents further to the south in Mill Hill. The proposal is thereby contrary to Adur District Local Plan saved policy AP4 and National Planning Policy Framework.

Consultations:

Adur & Worthing Councils: The Council's Engineer comments:-

"I would like to raise a holding objection until such time as I am provided with:-

- *A drainage plan showing all drain runs including the one to the property boundary;*
- *A section through the storage cells showing surrounds and invert levels of all pipe;*
- *Calculations based upon soakage test results, that size the storage system, and with the correct rainfall data."*

Representations

1 letter of support has been received from 18 Mill Hill commenting:-

- This application has been greatly improved offering screening from the parking of household cars and therefore sympathetic to the surrounding green area.
- If the works and planting are carried out as submitted plans we are in support and assume there will be a planting schedule.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7
SPG DC Standard No.3: Extensions and Alterations to Dwellings
Submission Adur Local Plan 2016: P2; P15; P37
National Planning Policy Framework (CLG 2012).

Planning Assessment

Principle

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and the proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Visual amenity

Mill Hill is situated on rising land which journeys onto the downland, and the area within the South Downs National Park, and is characterised by green sloping land. Mill Hill has properties facing onto it the highway, with many on elevated positions with front raised landscaped garden land, and hedge frontages.

Both travelling up and travelling down Mill Hill, the application site, even with the pre-existing vehicular access and forward positioned garage, visibly contributed to the landscaped vista of the street.

The excavation of the frontage and change in topography has opened up the site exposing to public view a large area of hardstanding that is being used for vehicle parking. This, together with the blockwork retaining walls built to hold-back the land to the south and further into the site to the east, has had a dramatic effect on the street-scene, resulting in a more austere appearance at odds with the semi-rural character of the lane.

The current proposed application will re-introduce a sense of enclosure to the frontage by creating raised planting beds which will help to screen views of the parked vehicles and double garage behind. A dwarf brick wall (750mm high) on the front boundary will curve into the site to form Bed 1. The existing land will be re-graded to create a more gradual fall south and east into the site. The existing block wall on the south side will be slightly reduced in height and a new retaining wall stepped in height built in front (north) of it to contain the new ‘bed’. This section of wall (painted render) will vary in height between 1.4 -1.6m from the level of the hardstanding in front of the new double garage. Bed 2 will be located between the existing garage and the steps leading up to the front entrance to the house (some 2m above). The overall effect will be to narrow the angle of view of the double garage and vehicles parked on the hardstanding.

There will also be some soil on top of the proposed double garage which will planted with Sedum in order to create a ‘green’ roof, and a landscaping schedule has been submitted to indicate the new planting that will be taking place. A condition would be appropriate on any approval which will secure the planting.

As the site is on downland and therefore sloping land, the removal of the soil, had potential for creating surface water problems down the hill, as there is currently no soil area to absorb the surface water. The proposal will install a drainage system within the site in order to collect the surface water. Notwithstanding the holding objection raised by the Engineer it is considered the technical details of the soak-way can be dealt with as a condition of planning permission as to delay the application further in order to secure the

percolation test results and calculations is considered unreasonable. [The applicants are eager to commence remedial works owing to concerns about the vulnerability of the site being left open and the front of the property exposed.]

Residential amenity

The main properties directly affected by a loss of existing residential amenity will be the immediate neighbours to the application site, namely no.'s 4 and 8. The effect of the total loss of land levels and landscaped area of the frontage of the property has had a negative impact on both of the contiguous properties, but undoubtedly no 4 has suffered the most out of the two properties.

The topography of no. 4, to the south, has a raised frontage area starting at approx. 1m where it meets the highway, and rising to approx. 2.2m nearer to the chalet bungalow. This land has shrubs and trees on its direct boundary with the application site. The engineering works that have taken place on the application site has removed the soil frontage, and has endangered the shrubs/trees, of the neighbouring land no. 4. It is understood that as a result of the works taking place, it has damaged the tree roots to such an extent, the tree had to be removed. Other damage to the shrubs is clearly visible on site, where it can be seen that many have been irretrievably damaged and or lost. There is also visual evidence of damaged/broken fencing. Another tree closer to the site frontage, has had all its branches sawn off, leaving just a trunk.

This main front area of no. 4, is a lawned area, which because of the fact that the rear area behind the property is quite small, is the main amenity area. With the loss of the boundary screening, the privacy of this area has clearly been compromised.

The proposal will re-introduce soil and planting banks at the frontage and boundary to no. 4 thereby providing support for the neighbouring land and will re-introduce the lost character to the property which will be of benefit to both no. 4 and no. 8 together with the surrounding area.

The proposed double garage building will occupy an excavated position in relation to the adjacent ground levels at No.4 and will have no adverse impact on the amenities of that property.

Recommendation

APPROVE Subject to the following Conditions:-

1. Approved Plans
2. Time limit
3. Materials for garage
4. Notwithstanding the time limit for implementation set out in condition 2, within 6 months of the date of this permission Planting Beds 1 and 2 shall be constructed and completed in accordance with the positions, levels and details shown on the approved plans and shall planted in accordance with the Specification for Landscape Works submitted on

17.11.2016. Planting Beds 1 and 2 shall thereafter be retained at all times and any planting which within 5 years dies etc.

5. Unless otherwise approved in writing by the LPA the hardstanding area shown on the approved plans shall be completed using Marshalls light grey ‘Natural’ pavers in a herringbone pattern, with dark grey ‘Charcoal’ margin blocks.
6. The double garage hereby permitted shall be used solely for purposes incidental to the domestic use of the property 6 Mill Hill as a single dwelling house and shall not be used as primary living accommodation at any time.
7. Details of a scheme for dealing with surface water run-off within the site based on the details shown on approved drawing no: 1567-138B and comprising:-

- A drainage plan showing all drain runs including the one to the property boundary;
- A section through the ‘storage cells’ showing surrounds and invert levels of all pipes; and
- Calculations based upon soakage test results, that size the storage system based on the appropriate rainfall data, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved surface water drainage scheme shall be carried out and completed prior to first use of the double garage hereby permitted.

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

Case Officer: Eve Hearsey/Jo Morin Date: 29.11.2016

Authorised by: Gary Peck Date: 29 November 2016