APPLICATION NUMBER AWDM/0486/18

GROUNDS OF APPEAL:

REF: Reason for refusal 01.

This cites policy 15 of the Adur Local Plan and Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

The National Planning Policy Framework encourages a range and type of development to "reflect the need of present and future generations" and so to impact positively on "social and cultural wellbeing". I believe that this proposed building does just that, as:

- Use would most likely be limited to one person, who will be a member of the family. This could be either myself, my partner, or one of four very old parents who have an average age of 90 years and could already be invited to reside in the house.

- This proposal is an honest attempt to maximise the flexibility of our domestic asset and react to complex changing family relationships and need, without having to sell-up.

- We will not be renting or otherwise profiting from this building.

- I would willingly accept a provision that prevents financial gain by way of renting this room.

- You will be aware that there is a real shortage of properties with the potential for small semi-independent living. We have no desire to sell but when that time does come there is the real potential to positively benefit future owners in terms of their family cohesiveness as well as their potential emotional and physical wellbeing. This would again be in line with the objectives of the cited regulations.

- The assumption of "*overbearing impact and increased noise and disturbance*" is speculative and frankly prejudicial. The idea that retired people who have not previously created noise and disturbance should somehow suddenly wish to do so at the end of the garden is clearly nonsense. Indeed, were we to do so it would surely have less impact than would be the case through the party wall of the house.
  Regarding the occupier of No 10 Flag Square I would make the (admittedly personal and subjective) observation that in the many years I have known her

this neighbour makes relatively little use of the garden compared to us and also appears to have her blinds substantially closed. I think that residents of Flag Square are generally very conscious of being overlooked by the five story flats to the rear. We would have no desire to inconvenience our neighbour now or in the future and respect her right to peace and privacy.

Reason for refusal 02: This states that the *"scale, height and position of the building would be out of keeping with the pattern of development in the area and would be harmful to local character."*

Neither the Adur Local Plan, Development Management Standard 2 nor National Planning Policy Framework indicate that this building cannot be built, preferring to rely on subjective criteria.

1. *"Local character"* on Shoreham Beach is just about as eclectic and varied as could be possible. The proposed building would be dwarfed between the worst aspects of 1970s development, namely our row of architecturally bereft three storey, plastic clad town houses to the west and a five storey block of flats. Stylistically it would represent an enhancement to the built fabric of the immediate locality. Architecturally it could really not be worse. **Photograph 1** shows the immediate area.

2. The site is enclosed by a high brick wall (approx 5'6" high) to the main side road frontage. The foreshore houses opposite mostly have irregular and sometimes very large ancillary buildings to their frontages.

3. **Photograph 1** shows the view from the top (2nd) floor rear bedroom. Planting precludes a view of the proposed site from the 1st floor living room, and I believe the same is largely true for the neighbouring house. The extreme west elevation of this L-shaped building would be behind the tamarisk trees seen at 'Y' on the photograph. Ongoing planting and/or fencing would be planned to maximise privacy for both us and the neighbours.

4. The surrounding area reflects a huge range of styles including blocks of flats, one-off foreshore mansions, asbestos roofed structures based on railway carriages, single skin clay pot bungalows and timber houses of varying merit and no consistent style. It is this variety and non-conformity that is THE defining character of Shoreham Beach and that informs the wide range of uses and people that make up the village-like local sense of community.

5. This local authority has recently approved very high density flat developments on previously industrial river frontages and has permitted wholesale change to the nature of the town waterfront, to the detriment of both existing residents and to the historic character of the area. This proposed room is wholly

insignificant in terms of defining the overall physical "local character" but will represent a considerable upgrade to the existing scruffy shed /workshop, which is a good thing. Large foreshore plots continue to be redeveloped to maximise internal volume, tending towards 3 stories and boxy profiles with no regard given to how they tie in with neighbouring properties; each is a unique one-off.

6. **Build quality:** I will be using the same building contractor who built the winning house in the RIBA South East Award 2017 and also The Telegraph Home Building Award 2017. I am proposing to enhance both the utility and appearance of this site.

7. The proposed room conservatively conforms to the requirements of what would be permitted development, were it not for the intended use. I assume such guidelines have already taken account of what is acceptable, or not, in terms *"scale, height and position"* and of having *"overbearing impact."* It is a fact that the existing shed / workshop is now dilapidated and so it *will* be replaced with a more useable garden room under the provisions of permitted development. I would plant the garden in such a way as to soften any harsh lines.

- There already exists (north boundary) a tall boundary wall / fence with shrubs to a height that approximately equates to that of the proposed garden room, so the effective skyline will not greatly differ for our neighbour. Furthermore, this building will be located approximately 0.5m inside the existing north boundary, which I will continue to maintain.

Reason for refusal 03 is concerned with flood risk.

I do (below) propose how I will mitigate the risk as suggested by the "Flood Map for Planning" but would point out the following:

1. *My garden only shows as Flood Zone 3 because of a quirk of the rendering program applied to the local area map.*
2. *This program can only apply shading in horizontal and vertically defined shapes, like pixels. My southern boundary (to Beach Road) is aligned upwards from approximately WSW to ENE and so cannot be tracked by the horizontal lines of the rendering overlay.*
3. *In order to apply colour (for Zone 3) to Beach Rd to the east of this site* ***(Photo 1 point 'x')*** *the rendering as applied (horizontally) to the map continues on diagonally through my property as it cannot follow my boundary alignment. Thus it totally ignores the presence of an all-enclosing brick wall and the line that water (presumably from the sea?)*

would have to follow. This map therefore does not take account of the reality on the ground. To the east of my garden it seems that a humble hedge is sufficient to downgrade the risk to Zone 1..... (**See blue line on photograph 1 for approximate boundary between zones 1 and 3 on the map**)

I have been singularly unsuccessful in getting this (fact) accepted by the Environment Agency staff contacted; the computer says "no."

Accordingly here is my Flood Risk Assessment and proposed solution:

FLOOD RISK ASSESSMENT

1. I am not sure when the Flood Map was last revised, but Shoreham has and is undergoing a major flood prevention plan that has involved both the foreshore and river frontages. The Environment Agency Policy Paper entitled "Shoreham Adur tidal walls scheme: how it will work" (Updated 22 November 2018) states that the, now largely completed, works provide:

   "protection for extreme events with 0.33% probability (1-in-300-year) of occurring in 1 year, allowing for 50 years of sea-level rise."

   This indicates a that the Environment Agency believes that there is very low likelihood of a flooding event even allowing for a "one in 300 years" event and 50 years of projected sea level rise.

2. The foreshore was recently upgraded so that the action of long-shore drift could be slowed and to allow the natural accumulation of shingle. This has been so successful that the high tide line has appeared to shift significantly outwards. The height of the shingle ridge to landwards is also considerably increased. Shoreham beach is a shingle spit formed by similar processes as Chesil and Dungeness. The harbour wall ensures that so long as shingle is not manually extracted from the east, or that our winds do not change to favour swells generation other than as presented by our northern Atlantic maritime aspect (and this is not going to happen) then this will continue to be an area of shingle deposition and growth rather than erosion. This indicates low risk of a flooding event and naturally progressive future proofing against increases in sea level.

3. Having lived by this sea and beach for over 50 years, I have witnessed the extremely rare combination of hurricane force anti-cyclonic winds and extreme storms that coincided with maximum spring tides. This combination provides an exceptionally high sea level both because of the spring tide and the effect of the extremely low atmospheric pressure tending to let the sea bulge

upwards. During these extreme events the sea did not threaten the built environment nor threaten to breach the shingle bank. Again, my experience of this area and the processes operating indicate a very low risk of flooding. Sea defence improvements have currently outpaced projected rises in sea level.

4. **Process of flooding:** **(See photo 4)** For water to reach the proposed building there would have to have been an event so catastrophic as to endanger the built environment generally. The outcome for my garden room would however be comparatively good. Water (presumably a wave) would have to overcome the shingle bank and then cross over a further 100m of freely draining shingle. At that point it would have to access the road by crossing a low retaining wall. In such a scenario, while the ground floor of the house could take water through the front door, the rear garden remains much more secure.

   Protected behind a high brick wall the garden comprises freely draining shingle. There are two personnel gates (front and side) which comprise the only possible points of entry and which would be easily defended in such an unlikely situation. **(See photos 2 and 3)** Even undefended, water could only enter very slowly and would drain through what is in effect one big shingle soak-a-way. This again indicates a very low risk to the proposed building.

5. **Risk to occupants:** From the above it is clear that the risk to this building from flooding is incalculably small. Therefore it would follow that the same goes for any occupant. In the event such catastrophic circumstances any occupant would have access to advance warning and every opportunity to either move temporarily away from the area or into an upper floor of the house if that was deemed safe.

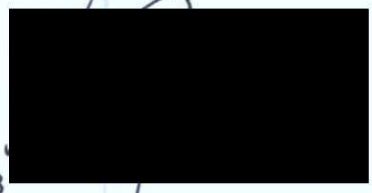
6. **Environmental risk:** There is no increased flooding risk caused by the proposed building. The hard area would be approximately similar to that currently covered by the existing workshop and old patio. This build will be on freely draining shingle with use of soak-a-ways. Surface water cannot exist on this shingle.

7. **Proposals to combat possibility of flooding hazard:**

   - Protect gates to street: Since this site is already strongly protected by a brick wall and the house itself, the gates are the only points of entry for water. Provision will be made to affix 60cm high boards over gate

openings if an extreme weather event occurs. Such boards will be either slotted in place or fixed with bolts or some similarly secure means. Adequate gaskets would be incorporated to maximise effectiveness. Thus water can simply be totally excluded from this site and the building.

- Normal good practice will be observed regarding damp proofing courses and membranes. Work will be subject to inspection in the usual way.



Nick Martin

December 2018