Expiry Date -

Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1138/12

Site: **46 Daniel Close (land adj), Lancing**

Proposal: **Proposed 3 bedroom house on land forming part of 46 Daniel Close**

Neighbours checked: Y

Additional neighbour notifications: None necessary

Proposal, Site and Surroundings

This application seeks full permission for the erection of a single dwellinghouse on land which forms the southern part of the curtilage of 46 Daniel Close and is currently a side garden area containing some shrubbery, outbuildings and bordered by a brick wall. The house would consist of 3 bedrooms and attached to the existing dwelling, thereby becoming the fifth dwelling in the terrace.

The site is within the built-up area as defined by the Local Plan and is at the very southern end of Daniel Close. Number 46 is the southernmost of a terrace of 4 units and Daniel Close is characterized by such grouping of dwellings although there tend to be more than 4 dwellings in any particular terrace. Those nearest to the application site have 5 and 6 dwellings in their respective terraces and further to the north there is a group of 10 dwellings in a terrace.

The existing dwelling is located beyond where the road ends in Daniel Close and therefore faces a wide grass verge to its frontage which faces east. Further to the east are the flank wall and rear gardens of northern facing dwellings in Daniel Close. To the rear of the site are a number of flat roofed garages located within a compound. To the south is Mash Barn Lane. At the time of the submission of the application, this was a narrow track impassable by most vehicles but during the course of the application, planning permission was granted for a training facility for Brighton and Hove Albion Football Club to the east for which Mash Barn Lane will be the main access and therefore suitably upgraded. While there is some screening at the moment, the proposed dwelling would therefore become more visible from the south. Beyond Mash Barn Lane to the south, are the rear elevations and gardens of properties in Barnfield Park.

Relevant Planning History

None relevant

Consultations

West Sussex County Council:

No objection from a transport/highways aspect, although it is pointed out that the development may lead to an increase in on street parking in the area. Any permission should be subject to a section 106 Obligation requiring a Transport Access Demand contribution of £1600

Adur & Worthing Councils:

The **Environmental Health** officer raises no objection but suggests the potentially contaminated land precautionary informative is imposed.

Environment Agency:

Due to the scale and nature of the proposal, we do not wish to object to this application, however we would like the following information to be taken into consideration.

In coming to a decision on the proposed development, the Local Planning Authority (LPA) should give careful consideration to the following issues, in consultation with relevant specialists such as their emergency planning department and Building Control, and request additional information from the applicant as appropriate.

Flood depths

The Lancing area is vulnerable to tidal flooding from the River Adur. The current defences in this location offer around a 1 in 2 year standard of protection. We have included the predicted flood depths at Daniel Close in the table below. We are intending to build new flood defences at Shoreham which will reduce the risk from tidal flooding significantly, however we currently have no information on the risk should these defences breach or fail (residual risk).

Depths (m)					
200U	1000U	200U CC	200D	1000D	200D CC
0.43	0.55	1.61	Null	Null	1.22

Where U = undefended and D = defended. CC = includes an allowance for climate change up to 2115.

The submitted Flood Risk Assessment (FRA) does not recommend raising finished floor levels above the predicted flood depth. Rather it recommends a wall surrounding the new building at 1 metre high with flood gates to prevent water ingress to the property. This assumes the proposed wall is constructed such that it can withstand this depth of water, and that the flood gates are installed and maintained in the long term. It should be noted that the wall will not be sufficiently high for the predicted flood depths in 2115.

At today's date, there is around 500mm depth of flooding rising to 1.22 metres in 2115 which will surround the development. These depths assume overtopping of the defences rather than failure or breach. Assuming no velocity this depth represents a 'danger for some' to 'danger for most' in accordance with table 13.1 of R&D report FD2320/TR2, Flood Risk Assessment Guidance for New Development. Therefore safe access and egress will not be achievable. It is acknowledged that flood risk can be managed in a number of ways. The LPA may decide that it may be appropriate to consider whether or not risk management measures that lie outside of our remit (such as provision of safe refuge) could be an acceptable means of enabling people to avoid flood hazards.

No reference is made to the need for a Flood Plan within the FRA. We would recommend that one is undertaken to your LPA's satisfaction, particularly given the need to install flood gates to protect the property.

If the LPA is not satisfied, taking into account all relevant considerations, that the proposed development can be considered safe without the provision of safe access and exit then planning permission should be refused.

We do 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 Technical Guide to the National Planning Policy Framework (paragraph 9) states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the FRA.

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

Southern Water Services:

No objection subject to an informative being attached regarding the connection to the public sewerage system.

Lancing Parish Council:

Object to the application on the grounds of overdevelopment of the site.

Representations

1 letter of support has been received from the occupiers of 37 Barfield Park who state that they are the only neighbours affected by the proposal as they back directly onto the plot and they do not consider that they will be affected by the proposal.

Relevant Planning Policies and Guidance:

The South East Plan 2006-2026 (GOSE 2009): SCT1, SCT5, SP3, CC6-7, H1-2. H5 & BE1-2.

National Planning Policy Framework (CLG 2012)

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AG3, AH2, AH5

Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space Around New Dwellings and Flats', and
'Good Practice Guidance Note: Internal Space Standards' (ADC 2010)

Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003, amended 2010)

Planning Assessment

Principle

The application site is within the built-up area as defined by the Adur Local Plan and currently comprises the curtilage of an existing dwelling. Residential infilling of this nature can assist with meeting the Council's housing land supply requirements and accordingly there is no objection in principle to the proposal

Visual & residential amenity - Density, character and appearance

The application site is located at the end of the cul de sac of Daniel Close and since it lacks a road frontage (the end of the turning are being to the north), this is one of the less visually prominent sites in the Close. The proposed dwelling would form the southernmost of a group of what would become 5 dwellings if permitted, but such a grouping would still be less in number than the majority of the clusters of terraced dwellings in the area and so it is considered that the development would reflect the pattern of surrounding development.

The rear elevation of the proposed dwelling would be slightly different to those adjacent by virtue of extending slightly deeper (1.9 metres at the deepest point) than the existing dwelling at number 46. The greater depth is not considered unacceptable and in visual terms would have little impact at present since the rear of the site faces onto garage blocks serving the dwellings.

To the south of the site is Mash Barn Lane which, at the time of the site visit, comprised little more than narrow track leading to the open countryside to the east. During the determination of the application, proposals for a training facility for Brighton & Hove Albion Football Club were approved with Mash Barn Lane being the main access. When implemented this, together with the removal of existing shrubbery within the application site, will open the site up to be more

prominent in the landscape but nonetheless it would still be set against existing houses. As such, this may also increase the impact of the proposed dwelling upon properties in Barfield Park whose visibility from the application site is currently quite limited. However, the distance between the side elevation of the proposed dwelling and the nearest property in Barfield Park is in excess of 25 metres and thus even with the opening up of the application site and much increased use of Mash Barn Lane, there remains sufficient distance between the dwellings for their to be no adverse impact upon neighbours.

Residential amenity – for proposed dwellings

The internal total floor area of the dwelling would exceed 110 square metres, the floor area of the 3 bedrooms would be in excess of 36 square metres and the living/dining room area would be in excess of 32 square metres thus complying with the Council's Space Standards. In any case, the dwelling would be of similar scale and design to those surrounding it.

Accessibility and parking

There is no highways objection to the proposal and although it is pointed out that on street parking may increase as a result of the proposal, it is not considered that this is sufficient to warrant a refusal of the application. A legal agreement has been completed securing the required TAD contribution.

Flood risk

The Environment Agency raises a number of points but overall do not object to the application nor have they suggested any conditions. In this respect, it is not considered a refusal of the application could be warranted and moreover, given the approved proposals for the Training Ground to the east, it is not felt that the proposal is of a scale where permission could justifiably be refused.

Contaminated land

The precautionary land contamination informative is suggested

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. There will be no adverse impact upon neighbouring dwellings and the development can take place without adversely affecting either the visual character of the area or to the detriment of highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AH5, AB23, AB25-27) and the South East Plan (SCT1, SCT5, SP3, CC6, H1-2, H5, BE1-2)

A Section 106 Obligation undertaking to pay the sustainable transport contribution of £1600 has been completed.

Subject to Conditions:-

1. Standard 3 year time limit
2. External materials to match existing adjoining dwelling
3. No extensions
4. No windows southern elevation
5. Walls/fences
6. Refuse waste/storage
7. Permission relates to approved plans

Informatives

If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (Tel 01962 858688) or www.southernwater.co.uk

NPPF Statement

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.

Is recommendation contrary to any representations? Y/N

Case Officer signed: Gary Peck Date: 4 March 2013

Authorised and signed by: James Appleton Date: 8th march 2013