Expiry Date – 14/7 EOT to 1/9

Development Control – Delegated Officer Report

Application Number: AWDM/0881/21 Recommendation – Grant

Site: **8 Fishermans Walk, Shoreham**

Proposal: **Demolition of existing double garage and erection of detached dwelling on land to north with associated landscaping and two parking spaces. AMENDMENT TO GRANTED APPLICATION AWDM/0776/19**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 19/8

Site and Surroundings

This application relates to land on the north side of 8 Fishermans Walk within its curtilage. This land is open fronted and used to include a pair of garages on the rear boundary accessed from Fishermans Walk. These have been removed since permission for a new dwelling was granted.

The site is bounded to the north by a low wall which abuts the Brighton Road pavement. There is no vehicle access on to Brighton Road from Fishermans Walk but pedestrian access and access for cyclists is available at the head of the road. A pedestrian access from Brighton Road also exists from the north west corner of the site by the Brighton Road bus stop which gives access to a rear passageway serving the back gardens of 6, 7 and 8 Fishermans Walk.

The site is not in a conservation area and is not listed.

The site is in tidal flood zone 3 but not prone to surface water flooding.

Proposal

Planning permission is sought to vary the design and layout of a dwelling approved in August 2019. The August 2019 application amended an original approval for a contemporary dwelling given in March 2018.

The original 2018 permission had a smaller ground floor curved at both ends and a much larger oblong first floor. In 2019 permission was granted to square off the western end of the ground floor wall. Rooflights were allowed on the south elevation and the north side balcony was enlarged. A study was introduced at ground floor in place of a utility room.

It is now proposed to alter the 2019 approval. It is proposed to entirely square off the ground floor losing any curvature previously approved. Previously the ground floor sat entirely and comfortably under the ground floor. It is now proposed to lengthen and widen the ground floor so that it sits in line at the front (east) and north side and the overhang on the south and west side is reduced from 825mm to 700mm. No north side balcony is proposed just a Juliet. The front door is switched to the south side. The ground floor now includes a kitchen/diner, separate living room and WC. An additional west side first floor window is proposed.

Distances off the north and west boundaries remain as approved as does the size of the rear garden.

A frontage parking space is lost with the increased ground floor size but two tandem spaces remain on the south side of the property. The two existing off street spaces in the frontage of the existing house are retained. Other window changes are proposed.

Relevant Planning History

AWDM/0776/19 - Application to vary condition 01, (Approved Drawings) and variation of conditions 5 (external materials) and 7 (landscaping) of previously approved AWDM/1868/17. Amendments include: Revisions to elevations and layout and submission of details of external materials and landscaping. Granted 14.8.19

AWDM/1868/17 – Demolition of existing double garage and erection of detached dwelling on land to north with associated landscaping and two parking space. Granted 27.3.18

AWDM/1503/13 – Two storey side extension. Granted 9.1.14

AWDM/0606/13 - Two storey side extension and replacement porch (existing garage removed). Refused 25.7.13, Appeal Dismissed

Consultations

Environment Agency:

'We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We have no objection to the amendment to granted application AWDM/0776/19, subject to the following condition included in the amended planning permission, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition
The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (GTA Civils ref. 7097,

dated November 2017) and floor plans (drawing ref. 15-21-Rev. B) and the following mitigation measures detailed within:

- *First floor levels to be set no lower than 5.39m AOD.*
- *No habitable rooms to be located at ground floor.*

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of development.

Reasons
To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) Flood Risk and Coastal Change.

Please notify us immediately if you are unable to apply our suggested condition, to allow further consideration and advice.

Advice to the Local Planning Authority and Applicant

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. would like to find out more about reducing flood damage, please visit the Flood Risk and Coastal Change pages Planning Practice Guidance (https://www.gov.uk/guidance/flood-risk-and-coastal-change).

Further guidance on flood resistance and resilience measures can also be found in:
Government guidance on flood resilient construction
https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx

British Standard 85500 – Flood resistant and resilient construction
https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686

Signing up for flood warnings
The Applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. Our flood warning service is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding.

To get help during a flood, visit https://www.gov.uk/help-during-flood.

For advice on what do after a flood, visit https://www.gov.uk/after-flood.

Advice to the Local Planning Authority

Flood warning and emergency response

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 planning practice guidance (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

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. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 163 of the NPPF and the guiding principles of the PPG.'

Technical Services: No objection.

Southern Water:

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
To make an application visit: southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDs component,

adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance available here: water.org.uk/sewerage-sector-guidance-approved-documents/ ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers 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 Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk'

Health: '*They have upgraded the structural sound insulation, therefore the passive ventilation proposed is acceptable, based on the calculations. I am assuming the previous planning condition, requiring that the sound mitigation scheme is tested to check that the finished development meets the required internal noise levels, still stands.*

If this is the case then I have no objections to the amendments.'

Highways:

'West Sussex County Council, in its capacity as Local Highway Authority (LHA), have been re-consulted on amendments to approved AWDM/1868/17 (single dwelling). In comments dated 9 June 2021 the LHA advised that the increase in bedrooms would not give transport grounds for refusal considering parking and access arrangements were still considered suitable.

There doesn't appear to be any further changes to comment on. Please refer to previously advised conditions and informative secured under AWDM/1868/17.'

Highways comments on 1868/17:

'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.

Summary
West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been re-consulted on proposals for single detached dwelling on land adjacent to 8 Fishermans Walk. In our comments dated 5th January 2018 the LHA requested further information regards discrepancies on the plan in relation to a marked footway not present at the site and clarification of the extent of dropped kerb required to serve the amended parking for the existing dwelling. Proposed Site Plan JB 395/ planning 05C has been provided and the LHA wish to provide additional comments as follows.

Content
The marked footway within the public highway has now been omitted from the plans to reflect the road layout as it currently stands at the site. No new works within the public highway are proposed within the turning head.

The plan also indicates the extent of the dropped kerb required outside no. 8 in order to facilitate the amended parking on the frontage of the existing dwelling. I note that shingle is proposed to be retained within a geo-grid and therefore minimum overspill on to the public highway is anticipated. The dropped kerb extension works would need to be carried out to a specification agreed with the Local Area Engineer for which a licence should be obtained.

Conclusion
As per previous comments the LHA do not consider that the addition of a single dwelling in this location would give rise to a highway safety or capacity concern and therefore the proposals are in line with paragraph 32 of the National Planning Policy Framework and there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application the following conditions and informative should be secured:

Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

INFORMATIVE
The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.'

County Highways has also confirmed that none of the site encroaches into publicly owned land and that the low northern wall is also in private ownership.'

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2021
Adur Local Plan 2017 Policies 1, 2, 11, 15, 20, 34, 35 and 36 including 'Development Management Standard No.1 'Space Around New Dwellings and Flats'.
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The principle of development has been approved twice before. For consideration this time are the changes to the design and whether they are in keeping or add character. Whether the changes to the layout affect flood risk and whether the development affects neighbour amenity, the highway network and provides suitable accommodation for future occupiers.

The ground floor is to be brick with the upper floor composite clad and the roof clad in zinc.

Neighbour amenity

The proposed development has no greater impact on neighbours. The general dimensions are largely the same with the same minimum distances to all boundaries. Two tandem parking spaces are shown on the south side of the building. These were part of the previous approval. A frontage space has been lost due to the increased size of the ground floor.

The fenestration changes are not significant to neighbours. Two enlarged west side windows will overlook the front garden or blank flank of 161 Brighton Road. The rooflights on the southern elevation are small and above head height. They will not overlook No. 8, the parent building. Enlarged windows in the front (east wall) cause no greater effect to neighbours. The north side balcony is removed and replaced with a Juliet. Other window changes are acceptable.

An existing rear passageway which currently serves 6, 7 and 8 Fishermans Walk and possibly 161 Brighton Road is shown to be retained. This gives access onto Brighton Road for rear servicing purposes.

Design/Streetscene

The approved house is nothing like the immediate vernacular or elsewhere for that matter. This latest iteration is a very much watered down version of the original design concept and weaker for it. However, it was always envisioned that a new dwelling in this position would be of a wholly different design to the parent building and wider terrace.

The proposal remains detached and a stand alone project. Less interesting since its enlargement but nonetheless acceptable here as a one off family home.

Its floorspace exceeds the minimum 84 sqm floorspace standard required for a two storey 3 bed(4p) house.

Flood Risk

The plans have been revised to introduce a larger ground floor with living accommodation, but no bedrooms. The Environment Agency has confirmed that the layout is acceptable as long as bedrooms are all at first floor level. A condition is recommended.

Highways

The Highway Authority is content and has recommended the same two conditions and informative as before.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. In accordance with FRA
4. In accordance with submitted acoustic report assessment
5. Materials as agreed under AWDM/0776/19
6. Details of Hard and soft landscaping prior to occupation
7. Parking provided
8. PD restricted
9. No new windows

10. The rear passageway serving the backs of 161 Brighton Road, 6, 7 and 8 Fishermans Walk and the new dwelling shall remain open and unobstructed in perpetuity.

Informative

1. 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. Precautionary Contamination
3. PFA
4. Vehicle crossover License
5. SW License
6. SW sewer maybe on site.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 26.8.2021
Authorised and signed by:	Peter Barnett	Date: 26 August 2021