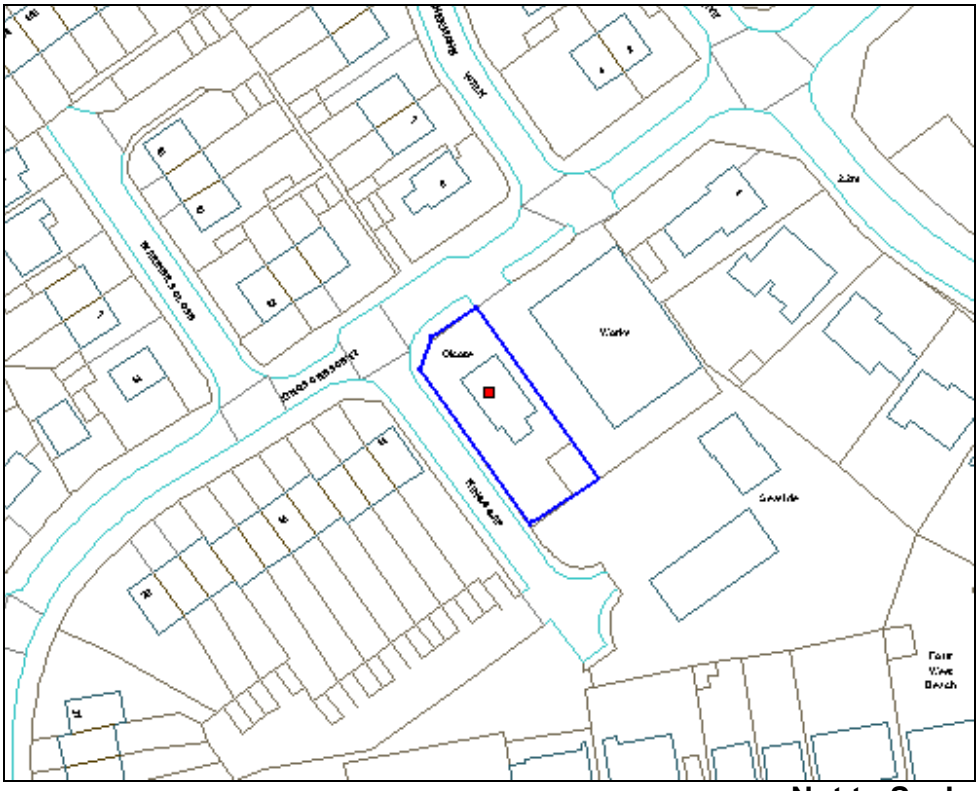
Application Number: AWDM/0372/13 **Recommendation – REFUSE**

Site: **Olcote, 1 Kings Crescent, Shoreham-By-Sea, West Sussex, BN43 5LE**

Proposal: **Demolition of existing bungalow and construction of 2 no 3 storey dwellings (1 x 4 bed, 1 x 3 bed)**

Applicant: Mr Timothy Sortain Ward Marine
Case Officer: Peter Barnett



Not to Scale

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Proposal, Site and Surroundings

The application site lies on the south side of Kings Crescent at the junction with Kings Gap. It currently contains a detached bungalow within a plot which measures approximately 14m wide and 35m deep.

The application is proposing to demolish the bungalow and construct two detached three storey dwellings. The northernmost dwelling would have 4 bedrooms with a plot size of 14m by 23.75m. The southern dwelling would have 3 bedrooms and a plot size of 14m by 12.4m. Each dwelling would face west towards Kings Gap and would have large roof terraces at second floor level which attempt to reduce the bulk of the buildings at that level. They would be 8.6m high with the habitable accommodation being on the top two floors because of the site's position within a flood plain. The northern dwelling would have a sloping roof on its north side but the form of the dwellings is predominantly flat-roofed and contemporary in style. They will be finished in untreated timber cladding/part rendered walls with a grey rubber membrane roof. A solar array is proposed at third floor level which will also act as a shade to part of the roof terrace. Each house is expected to meet Level 4 of the Code for Sustainable Homes.

Both dwellings would be sited hard against the eastern boundary with garden areas being to the front (west) with the northern dwelling also having an area of garden to the south. The southern dwelling would have a garden room at ground floor. The northern dwelling would have a vehicular access from Kings Crescent with a garage and parking space. The southern dwelling would be accessed from Kings Gap with two parking spaces, one of which is under a car port.

The site is adjoined immediately to the east by three workshops containing a hydraulics firm, vintage car restoration centre and MOT test centre. To the north the site faces between the side of 6 Kings Crescent and the front of the end of terrace unit, 8 Kings Crescent. To the west, there is the blank gable of 11 Kings Crescent and its rear garden. All of these dwellings have a traditional two storey form. To the south east there is a two storey children's home with car park in front. Three storey dwellings in West Beach are visible from Kings Gap and there are three storey blocks of flats at the entrance to Kings Crescent to the east (Marine Court) and five storey flats at the west end (Widewater Court).

Relevant Planning History

The site has been the subject of pre-application discussions with planning officers and the Environment Agency over at least two years. An earlier informal proposal was for three dwellings on the site but this was subsequently withdrawn before the application was registered.

Consultations

West Sussex County Council: No objection from a transport/highways aspect subject to conditions securing new access, cycle parking and vehicular parking and a section 106 Obligation requiring a contribution of £1,550 towards sustainable transport improvements in the area. Comments that car parking provision would be within the maximum standards.

Adur & Worthing Councils: The ***Environmental Health*** officer recommends that the full contaminated land condition is imposed and an informative requiring a demolition notice to be submitted prior to demolition of existing dwelling.

Environment Agency: No objection subject to a condition requiring finished floor levels of bedrooms to be set no lower than 5m AOD. They also advise the Council to consider the emergency planning and rescue implications of the new development and recommend that an emergency plan is submitted, as indicated in the applicant's FRA.

Representations

7 letters/emails have been received from residents of No's 8 (2 letters), 11, 12, 13, 15 Kings Crescent, and from business at Blackmore Engineering Co., Unit 2, 7 Kings Crescent objecting on the following grounds:-

- Overlooking, loss of privacy and loss of sunlight
- Proximity of dwellings to workshops will lead to noise complaints as a result of welding and engine revving
- Increased traffic and cars will worsen congestion, particularly in summer
- Overdevelopment of small site
- Inadequate garden space for family homes
- Increased noise, dust and disturbance
- Houses will be out of scale and out of keeping with surroundings, which is characterized by 2 storey dwellings
- Kings Gap is not a residential street. It is a narrow access road only.
- Loss of view

Relevant Planning Policies and Guidance

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space Around New Dwellings and Flats'
'Good Practice Guidance Note: Internal Space Standards for New Homes' (ADC 2010)
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)
West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)

The Provision of Service Infrastructure Related to New Development in West Sussex – Part 1 (WSCC 1999)
National Planning Policy Framework (March 2012)

Planning Assessment

Principle

The site is located within a residential part of the built-up area and is not identified or allocated for any particular use or development in the Local Plan. Residential infilling and redevelopment of unidentified sites, as in this case, is needed in order to meet the Council's 5 year housing land supply required by the NPPF. Priority is given to use of previously-developed land. However, any development should respect the character of the local area with particular attention paid to its architectural form, height, materials density and layout.

Density, character and appearance

The street has taller buildings at its eastern and western ends but the overall character in the vicinity of the site predominantly consists of two storey dwellings. The children's home to the rear has a larger mass but is also two storeys in height. There is a pair of 3 storey dwellings on the beach front which are visible from the site but these are not considered to relate directly to the immediate street scene of Kings Crescent/Kings Gap.

The proposal, for two detached 3 storey houses, would considerably alter the character of the area and would add significant bulk and massing of built development on the site which would not be in keeping with the scale of development in the vicinity of the site. Their scale is largely dictated by their location within flood zone 3a and the subsequent requirement to not provide any habitable accommodation on the ground floor below 5m AOD. (It should be noted, however, that the northern dwelling, which is a replacement of the existing bungalow, can have habitable (non-sleeping) accommodation on the ground floor as the 3 storey house is seen as 'betterment' by the Environment Agency and would provide a safe refuge on the upper floors compared with the existing bungalow which has no upper floor).

The northern dwelling would have a sloping roof to the third floor fronting Kings Crescent but it would be 1m higher than the terrace to the west on the other side of Kings Gap. The dwelling would sit 2m forward (north) of the existing bungalow which would bring it in line with the workshops to the east. However, the dwelling would have greater bulk and height and would present a much more prominent form when viewed from Kings Crescent. It would have its entrance in Kings Gap and its northern elevation would not provide much visual interest to address Kings Crescent on this corner plot.

The introduction of a second 3 storey dwelling on the plot further would represent an overdevelopment of the plot. This is demonstrated by the inequality in plot size, with the southern plot almost half the depth/width of the northern plot. This has the effect of giving the development a cramped appearance. The terrace to the west, for example, enjoys long rear gardens of over 20m length and the close 'tandem' siting proposed would not be in keeping with the character of the street. The disproportionate plot size and lack of depth to the plots serve to emphasise the unsuitability of the site for 2 dwellings, particularly of the scale and form proposed. It is considered that a single dwelling only would be the most appropriate form of redevelopment.

Residential amenity – for proposed dwellings

The proposed dwellings would meet the Council's minimum internal space standards. However, external amenity space would be at the front of the dwellings rather than the rear and would, in the case of the smaller plot, be below the amenity space standard for a 3 bed detached house. The applicant argues that the garden room and second floor terrace should also be seen as amenity space and that, taken together, this comfortably exceeds the 85sqm required.

While this is not strictly speaking in compliance with the Council's standards, the use of terraces and balconies as amenity space has been accepted elsewhere on the Beach and it is not considered that this should be used as a reason for refusal on this occasion.

The dwellings will be located immediately on the boundary with the workshops to the east. These have a B1 classification but it would appear that they have been used for noisier, B2-type uses for a number of years, including for car repairs. There is a therefore the potential for disturbance during the day to future occupiers of the dwellings.

However, the dwellings have been designed to have limited windows on the eastern side and garden space is predominantly on the west side of the buildings, shielded to some extent by the buildings themselves. The roof terraces would be open and exposed to noise from the workshops but, on balance, it is not considered that the impact on the living conditions of future occupiers would be so serious as to warrant refusal. The Council's Environmental Health Officer has no objection to the proposal.

Residential amenity – effect on existing dwellings

The dwellings on the opposite side of Kings Crescent are not considered to be adversely affected by the proposal given the separation from the nearest dwelling of approximately 24m and the position of the site between No's 6 and 8 Kings Crescent rather than directly opposite.

To the west, the side of 11 Kings Crescent faces the northern plot and is not considered to be adversely affected by that proposed dwelling. There will be windows facing towards the rear garden of No.11, as there will be on the southern dwelling, and some

overlooking will occur. However, it is not considered to be materially worse in its effect than the overlooking that already exists from the rear of the adjoining houses in the rest of the terrace to the west.

The impact on the workshops to the east has also been considered. The proposed dwellings will be hard up against the boundary and at 3 storeys they could have some impact on light to the front of the workshops. However, the impact is not considered to be so severe as to warrant refusal on that ground, particularly as loss of light and overlooking of commercial premises carries less weight than it does for a residential property. Concerns about complaints from future occupiers about noise from the workshops are noted but the Environmental Health Officer has not objected to this proposal. It is understood that the workshops have restrictions on their business hours.

No other properties are considered to be affected by the proposal; the children's home is sufficiently distant to not suffer adverse effects.

Accessibility and parking

Each dwelling is to have 2 car parking spaces within their curtilage, which West Sussex County Council is satisfied with. Objections have been raised on the grounds that the proposal will worsen on-street parking and congestion in the area, particularly during the summer and on the occasions of beach events when the streets are heavily parked. However, the on-street parking provision meets the County Council's maximum standards and there is no reason to suggest that the impact on parking in the area will be adverse.

Flood risk

The site lies within flood zone 3a and is at risk of flooding. A Flood Risk Assessment was submitted with the application confirming that the dwellings are to be constructed with sleeping accommodation in the houses at 5m AOD to prevent water ingress. Safe refuge can be provided within the dwellings and the Environment Agency has no objection on this basis. A flood warning and evacuation plan is recommended and this can be secured by condition should permission be granted.

Sustainable and resource efficient buildings

The dwellings are to be constructed to Code Level 4 of the Code for Sustainable Homes.

Recommendation

REFUSE for the reason:-

The proposed dwellings, by reason of their large size, unsympathetic design, irregular plot size and layout, would be out of keeping in scale and appearance with the surrounding development and would detract to an unacceptable extent from the visual amenities of the locality. The proposal would therefore conflict with saved policies AG1 and AH2 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

1st July 2013