**Expiry Date – 18/3, EOT agreed to 14/6**

# Development Control – Delegated Officer Report

**Application Number: AWDM/0084/19 Recommendation – Grant**

**Site:** **158 Brighton Road, Lancing**

**Proposal:** **Demolition of existing dwelling and construction of a pair of semi-detached houses with associated parking. (Revised proposal)**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 15/2

## Site and Surroundings

This application relates to a two storey house with single storey side and rear extensions on the south side of Brighton Road. The property has been unlawfully converted into two flats.

The house backs onto Widewater which is a saline lagoon, a secondary sea defence embankment and designated Site of Nature Conservation Importance, very popular with bird watchers. The site is on sloping land such that the house is single storey only at the rear, with a room in the roof. The rear garden is on three terraced levels down to the water's edge.

The existing house is a painted and rendered property at ground floor and weather boarded at first floor and has a stepped access to the rear garden on the west side and a shallow ramped entrance on the east side. It has a hipped pyramidal roof. To the east is a fully gabled two storey house, with loft accommodation, in a row of five similar properties and to the west, No. 156, has recently been demolished to make way for a pair of houses approved under the terms of planning permission AWDM/1921/17 refers.

This area is predominately inter war suburban housing but has seen significant amounts of more modern and intensive infill on the south side of 3 storeys, most recently at No. 152 which includes a strong central front gable feature taller than the main roof.

The site and coastal strip sit in Environment Agency flood zone 3. There are parking bays outside the house and a bus stop is very close by. The A259 is a busy and wide coastal road.

## Proposal

Planning permission is sought to replace the existing house with 2 no. three storey houses from the front, 2 floors from the rear. The proposal has been revised twice since first submitted to reflect the design and scale of the recent build at No. 152 with a

hipped roof and higher shared central gable feature. At the rear the house is two floors with glazed gable details and a first floor terrace. The main front walls are to be brick with the gable timber clad.

Each property has two parking spaces off Brighton Road side by side under the first floor. Otherwise the ground floor consists of the main entrance, a bathroom, plant room and workshop. The first floor has three en-suite bedrooms onto the rear garden level. The second floor has an open plan living room/kitchen/diner with a south facing balcony across the full width and 1.5 metres in depth. It also has a separate utility room, WC and study area on the Brighton Road frontage.

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

**Relevant Planning History**

AWDM/1841/17 - Demolition of existing detached dwelling and construction of two 4 bedroom semi detached dwellings over three and a half storeys. Refused 14.3.18

AWDM/0045/17 - Retention of change of use of building from single dwellinghouse to two flats (retrospective). Pending

ADC/0337/06 - Rear conservatory. Granted 27.10.06

L/91/99/TP/18011 – Single storey side extension. Granted 29.7.99

L/135/87/TP/1377 - Two-Storey Extension At Side To Provide One-Bedroom Self-Contained Flat. Granted 28.7.87

L/76/84/TP/3124 – Garage. Granted 15.6.84

L/86/79/TP/6993 - Extension To Rear And Garage To Side. Refused 30.4.79

**Consultations**

Environment Agency

*'We have reviewed the information as submitted and have the following comments.*

***Environment Agency Position***

*'The Environment Agency requests that the following condition be attached to any planning permission granted, and that the details in relation to these condition be submitted and approved by the Local Planning Authority.*

*The proposed development will only meet the National Planning Policy Framework's requirements if the following planning condition is included.*

***Condition***
*The development shall be carried out in accordance with the submitted flood risk assessment (Submitted by Ashfield Solutions Group on 10/12/2018) and the following*

*mitigation measures it details:*

- *Finished habitable floor levels shall be set no lower than 5.20 m above Ordnance Datum (AOD)*

*These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.*

***Reason***
*To reduce the risk of flooding to the proposed development and future occupants.*

***Advice to LPA/applicant***

*We strongly recommend the use of flood proofing 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. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:*
*Department for Communities and Local Government: Preparing for floods*
*http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf*
*Department for Communities and Local Government: Improving the flood performance of new buildings:*
*http://www.communities.gov.uk/publications/planningandbuilding/improvingflood*

*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 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 consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).'*

Council's Emergency Planner:

*'I concur with the observations made by the Environment Agency. The proposed dwelling sits on a flood zone 3 however there are no recorded events of flooding to dwellings in this locality.*

*All occupants in this location will be notified of flood warnings by the EAs floodline. There is an Multi Agency Flood Plan covering this area which manages the multi agency response in event of a flooding event.*
*The recommendation of setting finished habitable floor levels no lower than 5.20 m above Ordnance Datum (AOD) is a sensible one. I would also add that the electricity feed and meter is also located above this level.'*

Southern Water

*'Southern Water would have no objections to the above proposal.*

*Southern Water requires a formal application for connections to the public foul and surface water sewers to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:*

*A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructurecharges.*

*It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order*

*a Adequate soakaway or infiltration system*
*b Water course*
*c Where neither of the above is practicable sewer*

*Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.*

*The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".*

Council's Drainage Engineer:

*'Further to my initial objection response of the 16th May, I have had lengthy discussions with the applicants architect regarding surface water disposal.*

*The architect has agreed in principal to engage a specialist drainage Company specifically to look at discharging the east west and southern elevation rainwater drainage into Widewater Lagoon, this discharge does not need any form of retention.*

*The architect also agreed that the northern aspect (road facing) would have some form of drainage blanket under the parking area to collect the roof drainage and to stop water reaching the highway.*

*I would be happy to have this as a prestart condition.*

*Therefore, we request that should approval for this new build be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority'*

Highways

*I refer to your consultation in respect of the above planning application and would provide the following comments. West Sussex County Council was consulted previously on Highway Matters for this location under planning application AWDM/1841/17 for the demolition of an existing detached dwelling and construction of two 4 bedroom semi-detached dwellings over three and a half storeys. No highway concerns were raised, the application was refused for other reasons.*

*West Sussex County Council was consulted previously on Highway Matters for this application and provided comments dated 14/02/2019. No highways concerns were raised. Subsequently the proposal has been revised. The comments below are provided after revised of the latest plans and details submitted.*

*The site is located on Brighton Road, which is 'A' classified (A259) and subject to a 30 mph speed limit at this point. The site is well served with pedestrian links to local amenities and services. The site is also served with public transport to the services and amenities in Lancing and Shoreham and beyond.*

***Access***
*Vehicular access is currently achieved via an existing dropped crossing providing 58 Brighton Road two off street car parking spaces. This existing crossover would remain to serve the most western plot. The eastern plot would need to be provided a new vehicle crossover. The works on the highway must be implemented under licence to a specification obtained from WSCC Highways. The proposed dropped crossing will result in the loss of an on street car parking provision, for which the Local Planning Authority may wish to consider the amenity implications of this loss.*

***Parking & Turning***
*The design and access statement details that each plot will be provided with 2 off street car port parking spaces.*
*The parking provision is considered adequate to meet the needs of two dwellings of this size in this location. Secure and covered cycle parking should be provided for each dwelling. The submitted plans do not demonstrate a turn on site provision. Nevertheless I'm mindful that the precedent of vehicle crossovers in this location without a turn on site is well established and notably was occurring at this site as per the existing situation. I would not be minded to conclude that two dwellings accessing A259 in this location in such a way would result in a 'severe' safety issue that could be substantiated.*

***Conclusion***
*The Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. If the Local Planning Authority is minded to grant planning consent the following conditions would be advised:*

*Access*
*No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.*
*Reason: In the interests of road safety*

*Car parking space*
*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 Note***
*Vehicle Crossover – Minor Highway Works*
*The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.*

Environmental Health

*'The area of development, has been identified by DEFRA as an area severely affected by traffic noise and no scheme based on good acoustic evidence has been provided to protect the new residential dwelling from noise.*

*ProPG: Planning and Noise, describes an acoustic design process which seeks to deliver the best acoustic design outcome for a particular site. Any future noise assessment for the site will have to follow the principles of this guidance and shall deliver the internal noise level guidelines set out in BS8233:2014. The noise assessment should also consider the maximum night time noise levels the property is exposed to and ensure the final acoustic design is sufficient to mitigation against these noise peaks.*

*I would recommend that any acoustic scheme includes mechanical MVHR ventilation for the whole development if windows need to be kept closed to achieve good internal noise levels.*

*I have no objections to the development in principle but I will have to object to the application as presented as no acoustic assessment or mitigation has been included in the scheme.*

*Once permission is given, I would recommend a demolition and construction management plan, given the proximity of the development to the public footpath and bus stop. We will need to know where waste and building materials will be stored for the development.*

*Please can you also include an informative requesting the applicant contact EH for a demolition notice under the Building Act 1984 before demolition commences.'*

Waste Services: *No objection.*

Lancing Parish Council: *No objection.*

**Representations**

One letter of support received in response to the original letter from No. 160.

**Relevant Planning Policies and Guidance**

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2, 3, 13, 15, 18, 20, 22, 31, 34, 35 and 36 including Development Management Standard No. 1 – Space around New Dwellings and Flats.

**Planning Assessment**

***Principle***

The proposal constitutes infilling within the built up area of Lancing and can be supported in principle under policy 2 of the Local Plan subject to compliance with other policies.

Government Planning Policy within the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of a presumption in favour of sustainable development (paragraph 49), which is defined as having three strands:

- an economic role, contributing to a strong economy and supporting economic growth;
- a social role, providing a supply of housing to meet current and future needs and creating a high quality built environment with accessible local services; and
- an environmental role, contributing to protecting and enhancing the natural, built and historic environment.
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The Adur Local Plan 2017 defines a target of 177 dwellings per annum which can be achieved.

Visual amenity

The proposed development reflects the scale and design of the recent infill scheme at 152 Brighton Road, 3 houses to the west. The proposal has a main ridge height of 12.55 metres and a feature gable ridge height of 13.56 metres, as built at No. 152. This general design approach to replacement dwellings can be seen elsewhere on Brighton Road too.

From the rear the houses are two storeys and have dual gabled roofs which are glazed. There is a mezzanine level, invisible externally, but which will benefit from light from the glazed gable windows and views out to the sea.

Residential amenity – the living conditions of future occupiers

The proposed dwellings would each have an internal floor area of approximately 175 square metres (including the ground floor workshop and 2nd floor mezzanine) which more than meets the minimum floor area for a 4-bedroom, 3 storey dwelling stipulated in the Technical Housing Standards. The proposed dwellings would each be provided with a rear garden sloping down in terraces to the edge of Widewater Lagoon, having an overall depth of 11 metres and an area of approximately 80 square metres. This falls short of the minimum garden area of 100 square metres required for a large semi-detached dwelling in the Council's Development Control Standard No.1 but is adequate in the circumstances, bearing in mind the quality of the space and the additional rear balcony each will have. However PD rights should be withdrawn to prevent further unacceptable erosion of amenity space.

Bedrooms in the properties would be exposed to traffic noise from the busy Brighton Rd and in line with the Environmental Health Officer's recommendation a suitable condition to secure effective noise mitigation would be required.

In general, however, it is considered the proposed dwellings are well laid out and would provide a good standard of family accommodation.

Residential amenity – effect on the amenities of neighbouring occupiers

No. 156, to the west, has recently been demolished. It is to be replaced with 2 no. three storey dwellings. The nearest new dwelling at No. 156 is to be set off the shared boundary by 1.235 metres with the proposed houses here set off by 1 metre. Secondary side windows or non habitable room windows are proposed in the approved scheme at 156. However, adequate separation between the proposed west flank wall of the proposed dwellings and those to be built at No. 156 is proposed.

No. 160, to the east, is a two storey house with windows in the west flank wall. It has not been possible to gain access to No.160 to see what these windows serve but it is probable that they are secondary windows or bathroom. A double width parking area sits within the boundary of No. 160 adjoining the site. Development, including the side passage proposed will be 6 metres from these windows. Sufficient light will continue to reach them.

The proposal has a similar front building line to the existing dwelling. The new rear building line is less deep than the rear conservatory on site and less than 1 metre beyond the rear of No. 160. No significant loss of light or outlook will occur notwithstanding the increased height. The owner at No. 160 has written in support of this application.

The supporting statement submitted with the application states that the rear garden levels are not to be altered and overlaying the existing and proposed drawings indicate that this is the case. As a consequence typical height boundary panel fencing on the existing terraced levels of the rear garden will suffice. Boundary treatment is reserved by condition.

Neighbours opposite in Brighton Road will not be harmed.

Accessibility and parking

The site enjoys reasonable accessibility. Each dwelling would be provided with 2 parking spaces (undercroft) similar to many other recently approved developments here with no on site turning facility. The Highway Authority raises no objections. Cycle parking can be accommodated within the workshops or rear gardens.

Other environment issues- Flood risk/ecology

Having originally objected to proposed soakaways the architect has agreed to commission a drainage study to ensure surface water drains to the lagoon. He is content with such a pre commencement condition. The Council's drainage engineer has withdrawn his objection in the circumstances.

The ecology of Widewater does not appear to be under any threat from this development.

**Recommendation APPROVE** subject to the following conditions:

1. Approved Plans
2. 3 years
3. Samples of materials
4. Details of landscaping
5. Details of fencing
6. Details of surface water drainage
7. In accordance with FRA dated 10.12.18
8. Details of acoustic scheme to deal with road noise
9. Construction Management Plan details
10 Construction hours
11. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.
12. 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.
13. No new windows side/roof
14. PD for extensions/outbuildings removed
15. Balcony screen details

***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. SW license for connection to public sewerage system
3. SW contact regarding nearby sewers etc.
4. Vehicle crossover license
5. *The Environment Agency strongly recommends the use of flood proofing 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 the Council's building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:*
*Department for Communities and Local Government: Preparing for floods*
*http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf*
*Department for Communities and Local Government: Improving the flood performance*

*of new buildings:*
*http://www.communities.gov.uk/publications/planningandbuilding/improvingflood*
6. Please contact Environmental Health for a demolition notice under the Building Act 1984 before demolition commences.

Is recommendation contrary to any representations? No.

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| Case Officer signed: | MOK | Date: 14/6/19 |
| Authorised and signed by: | Peter Barnett | Date: 14 June 2019 |