Development Management - Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0972/13

Site: **Norfolk House, High Street, Shoreham-by-Sea**

Proposal: **Minor material amendment to AWDM/0871/11 to install support posts to first floor balconies to enable them to be demountable for future works to the river wall**

Date of site visit: 20 August and site notice displayed

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site consists of a former office block with permission to convert to a residential use. The permission has been implemented although conditions are in the process of being discharged. The building is currently fenced off.

Relevant site history

Permission was granted in 2012 for the conversion of existing office block into 8 three-bedroom terraced houses (remodelled into a flat-roofed four-storey building); with addition of a three-bedroom house at east end; redevelopment of garage block at west end with two-storey flat-roofed offices; including provision of 23 car parking spaces and 10 cycle spaces (AWDM/0871/11).

Earlier in 2013, a non material amendment application was granted for the addition of a side light to front door, addition of roller shutters to entrance of car ports, inclusion of a door from coat room opening onto the river front at ground floor level, the inclusion of louvres with structural glass above to the opening at the end of the car port that fronts the river in substitution of the 1100mm high guard railing, the inclusion of a full height window within the inset balcony at second floor, substitution of the 1100mm high painted metal guard railing to third floor balcony and inclusion of plateau style roof lights above the stairwell (AWDM/0564/13).

Consultations

Environment Agency: raise no objection to the amendments and state that their original comments in relation to the original application still apply.

Representations

None received

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7
National Planning Policy Framework (CLG 2012)

Planning Assessment

The approved plans in respect of the original application showed that the balconies would be supported by poles and so their change to demountable poles will not have any material impact upon the visual appearance of the development but will allow access for any future works to the river wall. In planning terms, there is therefore no objection to the proposed minor material amendment.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AH7)

Subject to Conditions:-

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

02. No partial demolition of Norfolk House shall take place before a contract for the carrying out of the works to create the houses, shown on the plans hereby permitted, has been made.

Reason: *To conserve the character and appearance of the area having regard to the National Planning Policy Framework and saved policy AB5 of the Adur District Local Plan.*

03. No development shall take place until details of all walls and means of enclosure have been submitted to and approved in writing by the Local Planning Authority and the houses shall not be occupied until such walls and means of enclosure have been erected and they shall thereafter be retained.

Reason: *In the interests of amenity and to comply with policies AH2 and AB4 of the Adur District Local Plan.*

04. The houses shall not be occupied until the access, garaging and car and cycle parking spaces for the houses shown on the approved plans have been provided and such provision shall thereafter be retained

permanently for such purposes. The office building shall not be occupied until the car and cycle parking provision associated with it has similarly been provided and such provision shall thereafter be retained permanently for parking related to it.

Reason: *To ensure sufficient parking and in the interests of amenity and highway safety, having regard to the National Planning Policy Framework.*

05. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the houses or the completion of the development, whichever is the sooner, and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of hard landscaping shall be completed prior to occupation of the houses.

Reason: *In the interests of visual amenity and the environment and to comply with saved policy AB27 of the Adur District Local Plan.*

06. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roof (including windows, doors, balcony balustrading and screens) of the proposed houses has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details. Notwithstanding the details on the approved plans, the brickwork shall be of light-medium red-brown stock bricks, not red bricks.

Reason: *In the interests of visual amenity and to comply with saved policies AH2 and AB4 of the Adur District Local Plan.*

07. No external lighting or floodlighting shall be installed except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy AP9 of the Adur District Local Plan.*

08. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2011 and the following specific mitigation measures detailed within it:-

- The finished first-floor level of the houses shall be set at 7.26mAOD and there shall be no use of the ground floor as habitable rooms;
- No development approved by this permission shall be occupied until a Flood Response Plan has been submitted to and approved in writing by

the Local Planning Authority and necessary steps taken to ensure its provisions can be implemented in a flood event; and
- Flood-resilient materials shall be incorporated within the construction of the ground floor of the proposed development.

Reason: *To mitigate against flood risk having regard to the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.*

09. No development approved by this permission shall be occupied until a plan for the long-term maintenance of the river wall has been submitted to and approved in writing by the Local Planning Authority and the plan as approved shall thereafter be implemented.

Reason: *To mitigate against flood risk having regard to the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.*

10. Prior to installation of extraction or other air handling plant or externally-sited machinery, details of the plant and machinery (including details of mounting and noise attenuation measures) shall be submitted to and approved in writing by the Local Planning Authority and shall only be installed in accordance with the approved details. The acoustic attenuation measures shall be completed prior to use and thereafter retained permanently.

Reason: *In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect having regard to saved policy AG1 of the Adur District Local Plan.*

11. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed houses shall not be extended or altered in a manner which will materially affect their external appearance, including any new or altered windows, and no incidental buildings shall be erected on the site.

Reason: *In the interests of amenity and the environment having regard to saved policies AH2 and AB4 of the Adur District Local Plan.*

12. The glazing in the west side of the top floor and the first-floor dining-room west side window shall be obscure-glazed and non-opening and they shall not subsequently be altered in any way.

Reason: *To prevent overlooking having regard to policy AH2 of the Adur District Local Plan.*

13. The balcony and roof terrace side screens shall be completed in accordance with details, including obscured glazing, to be submitted to and approved in writing by the Local Planning Authority and they shall thereafter be retained at all times with obscure glazing.

Reason: *To prevent overlooking and to comply with policy AH2 of the Adur District Local Plan.*

14. If, during development, any visibly contaminated or odorous material (for example asbestos-containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) is found to be present at the site, then, unless otherwise agreed in writing with the Local Planning Authority, no further development 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 is proposed to be dealt with shall be submitted to and approved in writing by the Local Planning Authority and shall then be implemented as approved within an approved time period contained in the method statement.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework.*

15. No development shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. These drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained.*

16. During the construction and after completion of the building works hereby permitted there shall be no encroachment within the Adur Estuary SSSI for access or storage purposes except with the prior approval of the Local Planning Authority in consultation with Natural England.

Reason: *To safeguard the SSSI from damage, having regard to the National Planning Policy Framework.*

17. The minor material amendment hereby permitted shall be carried out in accordance with the following approved amended plans and details:-

Drawing Numbers: GHS-147-001E, GHS-147-002, GHS-147-200D

Please note that the existing planning permission AWDM/0871/11 still stands and that the conditions imposed upon it continue to apply to the development except that the plan number GHS-147-001E can be substituted for Drawing Nos:

GHS-147-001D

Reason: *For the avoidance of doubt and in the interests of amenity having regard to the policies of the Adur District Local Plan (AG1, AB4, AB11, AB16, AT10).*

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 letter(s) of representation?

Case Officer: Gary Peck Date: 11 September 2013

Authorised by: Appleton Date: 11th September 2013