Development Management – Delegated Officer Report

Application Number: AWDM/1147/24 Recommendation – Approve

Site: **104/106 Brighton Road, Lancing**

Proposal: **Demolition of two existing properties of converted self-contained flats. Erection of 4 storey terrace of five dwellings (3no. 4 bedroom and 2 no. 3 bedroom) with balconies, roof terraces and integral garages. Application to Vary Condition No 1, 3, 10, 11, 13 of previously approved AWDM/1541/20. Amendments: Change to conditions 01 (approved plans) and 11 (landscaping). Change to condition 03 (Flood Risk Assessment) UKPN would not accept electric incomer/ main / meter at a level above lower ground floor, as recommended within the approved FRA. Environment Agency accepted this. Change to condition 10 (materials). Minor changes to specification of materials; Removal of condition 13 (brise soleil details) Information provided in this application to satisfy the condition.**

Neighbours checked: Y

Additional neighbour notifications: N

Site Visit: Visited previously in connection with earlier applications

Site and Surroundings

This application relates to a site on the south side of Brighton Road which previously contained a pair of two and a half storey timber framed houses which have now been demolished.

Planning permission was granted in 2021 for the demolition of the existing houses and their replacement with a terrace of 5 dwellings each over 4 floors with the central 3 houses having 4 bedrooms and the end two having three bedrooms. The houses would have rear balconies with the outside two houses each having a small roof terrace also (AWDM/1541/20).

At lower ground floor each house would have tandem parking for two cars and a third space each accessed off a continuous drop kerb for 4 of the houses and a separate drop kerb for the most westerly house. This floor would also include a shower room and home cinema or gym room with rooflight only.

It was a flat roofed development with a recessed ‘pavilion style’ top floor. The height to 3 floors was 8.3 metres, which was lower than the ridge height of both adjoining properties and comparable in height to the eaves of No. 110. The maximum height was

10.4 metres with the upper most floor set back from the front parapet by 5.4 metres and set in from each side by 3 metres.

Proposed materials were a light yellow brick to the walls with some brick patterning (recessed and protruding bricks) on the upper ground floors and timber cladding on the top floor. Slimline aluminium windows and doors were proposed.

This application seeks to amend the proposal in the following ways:

1. Change to the landscaping proposals to rear gardens to remove the plunge pool and outdoor kitchens approved under AWDM/1070/23. The rear garden is to be largely paved with planted beds at each level.
2. Enclosed garages introduced to each house to replace the previous open parking bays.
3. The proposed timber cladding to the external walls of the upper floor and the surrounds and fascias of the first floor south façade to be replaced with imitation timber cladding

In addition, the following information has also been provided to vary or remove conditions listed in planning permission AWDM/1070/23:

Condition 03: FRA – Following consultation with UKPN and the EA, it is proposed to vary the flood resilient measures for the electrical incomer and meter (which are to be located externally at lower ground floor level rather than at first floor level or above in the previous FRA)
Condition 10. Schedule of materials and finishes – updated to reflect the change to cladding material
Condition 11. Details of hard and soft landscaping – changes as per the amendments to the approved plans specified above
Condition 13: Brise Soleil details – details provided

Relevant Planning History

AWDM/1541/20 - Demolition of two existing properties of converted self-contained flats. Erection of 4 storey terrace of five dwellings (3no. 4 bedroom and 2 no. 3 bedroom) with balconies, roof terraces and integral garages

AWDM/0314/23 - Demolition of two existing properties of converted self-contained flats. Erection of 4 storey terrace of five dwellings (3no. 4 bedroom and 2 no. 3 bedroom) with balconies, roof terraces and integral garages Application to vary Conditions 1: Approved plans, 8: Construction Management Plan, 10: Schedule of materials and finishes and 11: Landscaping of approved AWDM/1541/20. Amendments: Increase in height of dwellings by 0.5m; addition of piers to front elevation ; addition of solar panels to flat roofs; addition of air source heat pumps and solar shading

AWDM/1070/23 - Demolition of two existing properties of converted self-contained flats. Erection of 4 storey terrace of five dwellings (3no. 4 bedroom and 2 no. 3 bedroom) with balconies, roof terraces and integral garages Application to vary Conditions 1: Approved plans and 11: Landscaping of approved AWDM/0314/23 Amendments: change to

landscaping to rear gardens to include plunge pool and outdoor covered BBQ area; removal of walk-on rooflights and change to internal layout on lower ground floor. Application to remove/approve condition number(s): 04., 05., 06., 07., 11., 12. of approved AWDM/0314/23

Consultations

West Sussex County Council: The **Highway Authority** has no objection. Notes that all the under croft parking spaces are now being enclosed to be used as garages, and 3 external parking spaces added, 1 extra for each plot 3-5 at the front of the dwellings, meaning the entire site frontage will now be used for parking.

The drawing in the Design Report document with the spaces marked out in orange detail each external space to be 2.5m x 5m. The presence of a parking space now right next to plot 2's space could mean plot 2's access is made more difficult should a vehicle be parked in space 1 of plot 3; however the tracking provided in the email from VIASOLUTIONS for the section 278 agreement appears to show the manoeuvres into and out of plot 2 in the exact same way as in the original application, to which the independent Road Safety Audit team raised no problems to and the LHA had no objections to.

The relocation of the signal controller box slightly to the east will need to be discussed and agreed with our signals team and any works will need to be fully funded by the developer.

The LHA would raise no objection to the changes proposed

Adur & Worthing Councils: The **Environmental Health** officer previously had no objection on PSH grounds.

Public Health: Previously recommended condition specifying the glazing required to mitigate noise contained within the report and the requirement for a MVHR system to be installed in each unit to provide ventilation.

Drainage: Previously advised - Flood risk- The application is within flood zone 3, the site is shown to not be at risk from surface water flooding.

Surface water drainage- the application states that surface water will be disposed of via mains sewer. This is not acceptable, there are no surface water sewers in this location. If you are minded to approve this application please apply a condition to ensure the development is adequately drained and does not increase flood risk elsewhere.

Environment Agency: Previously advised - Request that the following condition be attached to any planning permission granted:
"The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (submitted by A.C. Rollings, dated 21/09/2020) and the following mitigation measures it details:
No habitable accommodation shall be placed on the ground floor; and
Resilient and resistant measures (specified in section 8.1 of the submitted FRA) shall be implemented. 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."

Southern Water: Following the review of the submitted documents, Southern Water has no objections to discharge the conditions. However, records show the approximate position of our existing sewer in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised

Lancing Parish Council: No comment received

Representations

None received

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policies 1, 2, 3, 9, 15, 18, 19, 20, 31, 34, 35 and 36 including 'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (December 2023)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The principle of redevelopment has already been established. For consideration is the impact of the amended proposals on the character and appearance of the area on neighbour amenity, future occupiers' living conditions, the highway network, flood risk, drainage and energy.

Visual amenity, scale and character

There has been a lot of redevelopment of houses along this stretch of road and the design of these replacement dwellings has varied considerably with flat roofed, pitched roof and higher central gables all featuring. The palette of materials used has also varied considerably.

This proposal is for a terrace of five houses with flat roofs and includes a pavilion style 4th storey. At the front the increased height to 3 floors is 8.6 metres, which is marginally higher than the ridge height of No. 108 to the east and lower than 102 to the west. The maximum height is now to be 10.9 metres with the upper most floor set back from the front parapet by 5.3 metres and set in from each side by 3 metres. The drawings indicate that the maximum height will exceed the maximum height of No. 110 by 1.3m. An approval at No.152 had a ridge height of 10.3 metres (excluding the taller central

gable feature) and an eaves height of 7.85 metres, (AWDM/0528/16 refers). At No. 170, three storey houses were approved with an eaves line at 8.897m with a shallow central gable with a maximum height of 9.6m, (AWDM/0330/18 refers). No. 158 has an approved ridge height of 10.5m with a central gable feature of 11.4m in height. More recently, a four storey building has been approved on land between 76 and 78 Brighton Road which is 11.7m high (AWDM/1247/23).

The height will therefore not be greatly dissimilar to other new developments in the street and will be lower than the highest developments approved elsewhere in the street. The top floor is also less obtrusive than other developments as it is recessed from the front and sides in the pavilion style. At the rear the upper floor is recessed by 1100mm and the two end roof terraces by 1800mm. The upper floor was to be treated in timber cladding originally but the current proposal is for fibre cement cladding for weathering and fire resistance purposes. Hardie Plank vertical board cladding is proposed in a faded brown colour for the top floor with a light grey board proposed for the south elevation only at first floor around the sliding doors to the terrace. A brick finish is proposed on the front elevation as previously approved. These materials are acceptable.

Residential amenity – neighbouring occupiers

The proposal has a similar front and rear building line to both neighbouring properties. It is built up against the west boundary with No.102. This neighbour has a car parking area approximately 6 metres in width adjoining the common boundary. The development is shown as set off the eastern boundary with No. 108 by 2.3 metres and a side passage and stair to the rear garden proposed. No. 108 is shown as set off the same boundary by 500mm. This is greater than the separation between the newer house at 110A and the ground floor side extension at No. 112. No.108 has its greater boundary clearance and car parking area on its east side.

It is considered that this degree of separation is acceptable and will not lead to significant harm.

No side windows are proposed in the end dwellings. Glazing at the sides of the upper floor is recessed and serves stairwells only. Upper floor balconies are also recessed at first and second floor levels. Both end units have small roof terraces set off the outside edges by 3 metres and from the rear wall by 1.8 metres. These are shown to be screened from the side by timber ‘brise soleil’ screens to avoid direct overlooking of the properties either side. The submitted details are acceptable.

No access is shown to the front flat roofed area and this is also precluded in the future by condition.

Residential amenity – future occupiers

The proposed 3 bedroom dwellings would each have an internal floor area of approximately 159 square metres and the 4 beds 179 square metres which easily exceed the minimum floor areas for such houses 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 60 square metres, one larger at 80 square metres. This falls slightly short of the minimum garden area of 65 square metres required for a 3 bed terraced 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 balconies and roof terraces (there is no specified standard for 4 bed terraced houses). 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 Road. The Environmental Health Officer was previously satisfied with the acoustic report submitted and the proposed glazing and MVHR ventilation system it contains. The proposal is recommended in accordance with this report.

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

Parking and access

The site is reasonably accessible with a number of bus routes operating along the Brighton Road and within walking distance of Lancing and Shoreham town centres and nearer local shops.

The access and parking arrangements include a continuous crossover for houses 1 to 4 with the most westerly house having its own separate access. These two crossovers leave unaltered the existing pedestrian pelican crossing outside the site but do cross zig zag road markings. Currently the existing properties and those opposite have access points crossing zig zags. On street parking for two small cars would also be lost.

The plans approved under AWDM/1541/20 included two parking bays in a covered space. One would be open on all sides, the other would be enclosed to the rear and sides but open to the front. The original plans submitted with that application included one parking bay and one enclosed garage for each property but the garages were subsequently opened up as they would have otherwise only counted for 0.5 spaces and would have led to a shortfall in parking under WSCC standards.

The applicant is concerned that the rear of the open bays is a security risk in terms of burglary and anti-social behaviour. It is therefore proposed to enclose the rear spaces making them garages with sectional doors (metal panels, painted anthracite grey). Parking provision would then be increased on site by adding external spaces in front of plots 3, 4 and 5.

EV charging points are also shown for each house.

The loss of on-street parking is regrettable but is otherwise available nearby.

The Highway Authority has no objection to the change to the parking layout and the addition of garage doors is visually acceptable in the street scene.

Flood risk and drainage

The Environment Agency was previously satisfied with the submitted Flood Risk Assessment and the application is conditioned to be in accordance with it.

Otherwise the site is in flood zone 3 and not at risk from surface water flooding. Draining surface water to the sewers will not be acceptable and so the application is recommended subject to a condition that requires full details of surface water drainage and a maintenance programme before any works commence.

The ecology of Widewater does not appear to be under threat from this development if built responsibly. An informative is suggested reminding the applicant of his responsibilities under The Environmental Protection Act 1990 Sections 34, 35 and 59.

Sustainability

The application includes details of measures for renewable energy with the flat roofs to Plots 2, 3 and 4 accommodating 8no. solar panels each, with 4 no. each for Plots 1 and 5.

Air source heat pumps are also proposed on the flat roofs at second floor, at the front of the building. They will sit alongside walls dividing each plot at roof level, set back from the front edge of the roof by 3.6m.

MVHR would also be provided as well as solar shading at the rear to protect south facing rooms from overheating.

Approval of Conditions

Condition 03: FRA – the variation to the flood resilient measures for the electrical incomer and meter (which are to be located externally at lower ground floor level rather than at first floor level or above in the previous FRA) is acceptable.

Condition 11. Details of hard and soft landscaping – 2no. raised planting beds are proposed at the front to contain a mix of flowering shrubs and plants. These are small areas but there is little scope for extensive planting at the front due to access and parking requirements and it will provide a minor enhancement of the frontage compared to existing, where few properties along Brighton Road have any landscaping.

At the rear the proposed plunge pools have been removed from the centre of the garden and replaced with a mid level terrace. Winding steps lead down to each terrace level with planted beds on the boundaries. The changes do not alter levels or reduce soft landscaping to a significant degree and a screen wall 1.8m-2m high is still shown on the side boundaries.

Condition 13. Brise Soleil – It is proposed to install steel support arms with aluminium blades fixed between them, powder coated grey. They would project 1m from the walls and are to be located in two locations on each unit; at upper ground floor level and over the balcony/terraces at second floor level. Their design and appearance is acceptable.

Recommendation

APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. In accordance with FRA
4. Pre-commencement Surface water
5. Pre-commencement Surface water
6. Pre-commencement – measures to protect public sewer
7. Constructed in accordance with Acoustic report
8. Construction management plan to be adhered to throughout development
9. Parking/Access/EV's constructed prior to first occupation
10. Materials as specified
11. Landscaping to be planted during first planting season following completion
12. Pre-commencement – Fencing
13. Brise soleil details as approved
14. PD restricted
15. No side windows
16. Hours of construction
17. No extension of terrace or use of front flat roof as terrace

Informative

1. 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.
2. This site is adjacent to a Local Nature Reserve and, as such, any building works should avoid dumping waste materials/liquids into the lagoon that would result in the lagoon being polluted, in accordance with the provisions of The Environmental Protection Act 1990 Sections 34, 35 and 59, 'fly tipping' (illegally dumping).
3. SW sewer Licence
4. Highway Licence

Is recommendation contrary to any representations? N

Case Officer signed: Peter Barnett Date: 16 October 2024

Authorised and signed by: Louise Prew Date: 16/10/2024