Expiry Date – 31/7

Development Control – Delegated Officer Report

Application Number: AWDM/0899/19 Recommendation – Refuse

Site: 59 Riverside Road, Shoreham

Proposal: Demolition of existing boathouse and erection of 2 storey garden annexe building (amended resubmission of AWDM/0187/19).

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 12.7

Site and Surroundings

This application relates to a hipped roof bungalow on the north side of Riverside Road at its junction with flats at West Point and Sussex Court. Properties to the west and opposite are also bungalows some with roof extensions. To the east and across an access road are two and three storey flats.

It backs onto the riverbank. Recent tidal wall works have permanently closed a shared slipway in the rear garden. As part of these works patios have been created for the occupiers of Nos. 57 and 59 where the slipway used to be.

The property has a detached garage building on its west side which sits behind the rear wall of the bungalow. This garage has a steeply pitched roof. Beyond this is a single storey detached boathouse building on lower garden ground. This building cannot be seen from Riverside Road behind the garage.

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

Proposal

Planning permission is sought to demolish the boathouse and to replace it with a 2 storey 'annexe' building. The proposed building measures 9.1m long and is wider into the site garden than the boathouse by 1.5 metres with a further 1 metre deep verandah. The ridge height is 5.5 metres and the eaves height is 3.2 metres on the west side, to match the garage eaves height and 2.5 metres on the east side onto the applicant's garden as it extends down to the verandah area. Three rooflights are proposed on the east facing rooflsope together with east facing ground floor windows and a door. Facing the river, north side, are windows at ground and first floor.

The annexe shows a ground floor bedroom and living room together with a first floor bedroom, separate bathroom and utility room.

This application follows a refusal earlier this year and another in 2018 for similar developments. The most recent refusal, AWDM/0187/19 was refused on the following grounds:

1. The proposed annexe building would, by reason of its siting, scale, form and design, represent an incongruous, visually discordant and prominent addition to the streetscene harmful to the character of the area and to local distinctiveness. As such the proposal is considered contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

2. The proposed annexe building would, by reason of its scale, siting and design, represent an unneighbourly and overbearing form of development causing a loss of outlook, privacy and increased sense of enclosure to occupiers of No. 57 Riverside Road. As such the proposal is considered to be contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

This application differs from this refusal as it less deep into the garden and no longer includes a rear first floor balcony or west facing rooflight.

Relevant Planning History

AWDM/0187/19 – Demolition of existing boathouse and erection of 2 storey garden annex building (amended resubmission of AWDM/1075/18). Refused 21.3.19

AWDM/1075/18 – Demolition of existing boathouse and erection of 2 storey garden annex building. Refused 13.11.18

143/04 – Rear conservatory. Granted 27.7.04

200/71 – Conservatory. Granted 12.7.71

196/71 – Boathouse – rear garden.

Consultations

Environment Agency:

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

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 August 2018 by UNDA Consulting Ltd.) and the following mitigation measures it details:

- *Finished floor levels shall be set no lower than 300mm above external ground levels*
- *Flood resistant design measures shall be implemented as set out in section 6.3 of the Flood Risk Assessment*

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 applicant
Although the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place within 16 meters of a tidal river and/or 16 meters of a tidal flood defence structure, we acknowledge through the submitted details that the works being carried out will be within the perimeters of the existing property, thus will not obstruct any access routes nor disrupt the Adur Tidal Wall.

Therefore, we ***do not*** *require the applicant to obtain a Flood Risk Activity Permit on this occasion.*

Advice to LPA
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).'

Technical Services – *'Thank you for inviting me to comment on this re-application, my comments remain largely as before.*

The site lies in flood zone 3 but is now protected by the newly built Adur Tidal Wall, and as far as I am aware did not suffer any flooding previously.

The sleeping accommodation is well above predicted flood levels and therefore I have no issues with the proposal, surface water should be directed to a soakaway or directly to the river, if appropriate.

Whilst I have no objection the Environment Agency will require the applicant to apply for a Flood Risk Activity Permit, (FRAP Licence).

The obtaining of the FRAP licence should be a prestart condition on the application should it be approved.'

Southern Water:

Southern Water requires a formal application for any new connection to the public sewer 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/infrastructure-charges.

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

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.

Due to changes in legislation that came in to 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".

Highways:

'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.

This proposal is for the demolition of existing boathouse and erection of a two storey annexe. The site is located on Riverside Road, a C-classified residential road subject to a speed limit of 30mph.

The LHA was consulted on two applications at this site under refs: AWDM/1075/18 and AWDM/0187/19. The current application represents a resubmission of AWDM/0187/19 providing revised plans relating to scale of the proposed annexe. The LHA did not raise any highway safety concerns to the previous proposals, however both were refused by the LPA on separate grounds.

The site is currently served by an existing vehicular access onto Riverside Road. No alterations are proposed to the existing access arrangements. Off-street parking is available on site; however the addition of annexe accommodation may result in overspill parking. Any overspill parking as a result of the development could be accommodated on street. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety. We would not consider that highway safety would be detrimentally affected by this proposal; however, the Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

The LHA does not consider that this proposal would have 'severe' impact 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.'

Health:

Please could the following informative be placed on any planning permission that may be granted

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms.

Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the

layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Pulverised Ash and precautionary contamination informatives to be added.

Representations

One objection received.

The redesign of the boathouse into a dwelling suitable for accommodating people in this location is not acceptable. There are several places where the new boathouse can cause overlooking of existing properties again which is unacceptable.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of annexe development is generally acceptable within the built up area boundary. Such development however, must not cause harm to the character and appearance of the area or to neighbour amenity.

Character

The existing properties at 57 and 59 used to share a slipway. This has been closed as part of the tidal walls development. An existing single storey boathouse at No. 59 is in effect redundant and the applicant intends to demolish it and replace it with an annexe building.

The existing boathouse is on lower ground and behind the garage on site. It is also less tall. It sits quietly on the site and is not visible from Riverside Road and barely visible from the side road. From the garden of No. 57 it is only a little taller than the boundary fence and trellis at 2.5 metres high but it is 2 metres below the ridge height of the garage. It has the scale and appearance of a garden outbuilding.

The proposed building is fully two storeys. At 5.5 metres high to ridge it is 600mm metres taller than the garage, 2.7 metres taller than the existing boathouse. Its east elevation has windows at ground and first floor which accentuates its two storey appearance.

The parent building is a modest hipped roof bungalow. The scale of the annexe building is at odds with the scale of the parent building and with the pattern of bungalow

development west of the site and opposite. It does not reflect the prevailing character and would overwhelm the parent building. Its juxtaposition is incongruous.

The building will be clearly visible from Riverside Road and from the side access road and slipway east. Its position and scale is anomalous from both roads. It would also be clearly visible from the opposite riverbank. It does not have the appearance of a garden outbuilding or ancillary annexe. It has the appearance of a new dwelling. It would be out of character. It would not make a positive contribution to the sense of place locally.

There are boathouses in gardens to the east with higher pitched roofs than the boathouse on site but they remain single storey buildings. They do not have the appearance of a dwelling. They have the appearance of subordinate boathouses.

The applicant has been advised on more than one occasion that a single storey is likely to be acceptable to us.

Neighbour amenity

The scale of the proposed building would have a harmful impact on the living conditions of occupiers of No. 57. It would be overbearing in their garden. It would obstruct morning sun.

The removal of the north facing balcony and west facing rooflight is an improvement for the neighbours at 57.

Conclusion

The positon, scale and design of the proposed building would be harmful to local character and neighbour amenity. It does not comply with policy 15 of the adopted Local Plan, adopted Development Management Standard No. 2 Extensions and Alterations to Dwellings and the National Planning Policy Framework.

Policy 15

Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

Development should:

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area;*

and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;

National Planning Policy Framework:

127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

130. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or design guides in plans or supplementary planning documents.

Development Management Standard No. 2 Extensions and Alterations to Dwellings:

The effect on neighbouring properties
2.2 Proposals will not be granted planning permission if they have an unacceptably adverse effect on neighbouring properties. The main detrimental effects could be related to:

- *Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.*
- *Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.*
- *Outlook – the fact that a neighbour may be able to see an extension would not in itself make a proposal unacceptable, the outlook of neighbouring properties should not be dominated by the extension since this could be overbearing and oppressive. However, the loss of a distant view would not normally be considered a valid reason for refusing an application.*

2.3 The extent to which the above factors are affected will depend on the size and position of the extension, as well as its location and orientation relative to neighbouring properties. Clearly extensions to a large detached house or bungalow on a large plot are far less likely to affect neighbouring properties that ones to small terraced or semi-detached houses or bungalows. In addition a single storey extension would be less likely to have an adverse effect on neighbouring properties that a two storey extension, which would be more likely to reduce daylight to neighbouring properties and lead to problems of overlooking. It should also be noted that the use to which an extension is to be put may affect its impact. For instance a first floor bathroom with

obscured glass would not lead to problems of overlooking and may be acceptable where a bedroom would not.

The appearance
2.5 The most important basic principle is that any extension should be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally. An extension which is acceptable in a low density modern development may not be acceptable in a town centre location. In particular, the proposal should not be allowed to over-dominate the house or clash with its appearance.

3.18 Detached garages, where clearly visible from the public highway, should usually reflect the style and character of the dwelling and not be excessive in scale. Flat roofs for prefabricated non-matching garages may be acceptable in positions more concealed from public view.

3.24 Where an extension is proposed for a "granny annex" it will be required to have an inter-connecting door with the main house. In other respects it will be assessed on the same basis as any other extension. Detached "granny annexes" may be acceptable but if they are self- contained and result in an independent area of living accommodation then a legal agreement is likely to be necessary to tie the annex to the main house to prevent it from being sub-divided or sold separately.

Recommendation: **REFUSE** for the following reasons:

1. The proposed annexe building would, by reason of its siting, scale, form and design, represent an incongruous, visually discordant and prominent addition to the streetscene harmful to the character of the area and to local distinctiveness. As such the proposal is considered contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

2. The proposed annexe building would, by reason of its scale, siting and design, represent an unneighbourly and overbearing form of development and increased sense of enclosure to occupiers of No. 57 Riverside Road. As such the proposal is considered to be contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 19/7/19
Authorised and signed by:	Peter Barnett	Date: 19 July 2019