Expiry Date – 14/1, ppa agreed to 7/4

Development Control – Delegated Officer Report

Application Number: AWDM/1778/19 Recommendation – Grant

Site: 59 Riverside Road, Shoreham

Proposal: Demolition of existing boathouse and erection of a single storey garden annex extension to garage, with bathroom in existing garage (revised proposal).

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: Sept 2018 and Mar 2019

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 single storey 'annexe' extension to the garage. The annexe layout includes the proposed bathroom in the back of the garage, leaving two thirds of the garage floorspace remaining for garage purposes. The application has been revised since first submitted to include a revised FRA and to show it as an extension of the garage with a lower roof form, rather than a detached building.

The annexe extension adjoins the boundary with No. 57, like the existing boathouse and measures 10.1m in length. It is wider into the site garden than the boathouse by 2 metres and is 1.3 metres longer. The extension has a shallow pitched roof with a ridge height of 3.5 metres and an eaves height of 2.3 metres. This represents a similar eaves

height to the existing boathouse. The ridge height is approximately 600mm higher than the existing boathouse.

The extension is less tall than the original garage and given the drop in levels will not be visible from Riverside Road. No windows or rooflights are proposed on the west side. All windows and the entrance door are on the east side except for patio doors on the north side out to the patio area adjoining the river.

The annexe shows a living room and separate bedroom. The bedroom has an en-suite bathroom up steps and into the back of the existing garage.

This application follows three refusals in the past 18 months for two storey detached annex buildings. The most recent refusal, AWDM/0899/19 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 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 most recent refusal as it is now a single storey addition to the garage building with no windows or rooflights on its west side.

Relevant Planning History

AWDM/0899/19 - Demolition of existing boathouse and erection of 2 storey garden annex building (amended resubmission of AWDM/0187/19). Refused 23.7.19

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:

'Thank you for the consulting the Environment Agency on the above application following the submission of a revised Flood Risk Assessment (FRA).

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We are satisfied that our previous objection (dated 10 December 2019, our ref: HA/2019/121804/01) can be removed, provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (submitted February 2020 by UNDA Consulting Ltd.) and the following mitigation measures it details:

- ***Finished floor levels shall be set no lower than 300mm above maximum adjacent ground levels;***
- ***Physical design mitigation measures shall be implemented as set out in section 6.3 of the Flood Risk Assessment; and***
- ***Access shall be maintained to upper floors of the main residential property to ensure safe refuge.***

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.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Advice to the Applicant

Environmental permit

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.

Flood warning service

We strongly recommend that the Applicant/occupants sign up to our flood warning service. This is a free service. Further details on the service can be found here - https://www.gov.uk/sign-up-for-flood-warnings.

Advice to the Local Planning Authority

Flood warning and emergency response

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.'

Council's Emergency Planner:

'No proactive comments in relation to this application. The development sits within a flood zone which is now serviced by the Adur tidal walls scheme. The area in question is covered by a multi agency flood plan.

I have no objections to the proposed development.'

Technical Services –

'The revised FRA now contains modelled flood levels from the Environment Agency. These show that in the defended scenario the site is located in Flood Zone 1. There is still a risk of breach of defences so measures such as raising of floor levels and resistant and resilient design should be used.

The main problem I still have with this application is that the plans appear to show no connection to the main dwelling, so there would be no safe means of escape or place of refuge available. Stating that there is is disingenuous and the FRA should be corrected. Have the EA been reconsulted on this application? And has it been highlighted that sleeping accommodation is proposed on the ground floor with no safe means of escape or refuge?'

Southern Water:

Southern Water requires a formal application for a connection to the foul 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 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 The disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:
a) An adequate soakaway or some other adequate infiltration system.
b) A water course.
c) Where neither of the above is practicable: a sewer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk'

Highways:

The LHA has been consulted on three previous applications. The current application reduces the scale of the proposed annexe. The LHA did not raise any highway safety concerns to the previous proposals, however each was refused by the LPA on separate grounds.

The site is currently served by a vehicular access onto Riversde Road. No alterations are proposed to the 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 this development could be accommodated on street.

Whislt on-street parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. We would not consider that highway safety would be detrimentally affect by is proposal; however, the LPA 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 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 there are no transport grounds to resist this proposal.'

Health:

'The bedroom is an inner room and so the bedroom window must comply with the requirements for a fire escape window.

Pulverised Ash and precautionary contamination informatives to be added.'

Representations

None received.

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. Because the site lies within flood zones, 1, 2 and 3a there is a flood risk to occupants of the annexe. This needs to be considered.

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.

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.

This latest application is a single storey addition to the garage building with similar proportions to the boathouse. It has been reduced in height by 2 metres to 3.5 metres high to ridge. The ridge height is now only 600mm taller than the boathouse. It has a similar eaves height.

The scale of the annexe building is no longer at odds with the scale of the parent building or the existing boathouse.
The annexe now proposed will not be visible from Riverside Road. From the side access road and slipway east it will not have a dissimilar appearance/impact to the existing boathouse. From the opposite riverbank it would have the appearance of a boathouse and is similar in scale to others along this stretch. In its context the revised proposal finally has the appearance of a garden outbuilding or ancillary annexe.

Adequate garden area is retained to serve the parent building and annexe.

Neighbour amenity

The scale of this proposal will be far less domineering for occupiers of No. 57. At single storey its proportions are not dissimilar to the existing boathouse. The extra height and length will not be overbearing. Neither will it significantly obstruct morning sun.

The removal of west facing windows and rooflights avoids the risk of overlooking.

To prevent harm it is recommended that a condition preventing the introduction of windows on this side is included.

Flood Risk

The proposal is now for a single storey annexe. An extension to the detached garage on site but not physically attached to the main house. As it is single storey the sleeping accommodation is at ground floor level. Ground floor level is to be set 300mm above external ground floor level. In the event of a flood the revised FRA states that escape will be to Riverside Road. In an extreme, rapid inundation access to the upper floor of the main house is to be used as a place of refuge. As this is an annexe addition, conditioned as ancillary to the main dwelling only, access to the upper floor of the main dwelling will always be available. Not literally, physically, but practically in terms of how it is to be used. This is acceptable to the Environment Agency. The Emergency Planner is also satisfied.

Conclusion

This revised proposal overcomes the harm identified in previous refusals.

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

1. Approved Plans
2. 3 years
3. Materials to Match
4. Ancillary to 59 Riverside Road only

5. No independent access from Riverside Road
6. No sub division of garden
7. In accordance with FRA
8. No windows or rooflights - west side

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 connection

3. Public sewer crossing the site

4. Pulverised Ash

5. Precautionary contamination

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 2.4.2020
Authorised and signed by:	Peter Barnett	Date: 2 April 2020