Development Management - Delegated Officer Report

Application Number: AWDM/2199/21 Recommendation – APPROVE

Site: 66 Old Fort Road, Shoreham-By-Sea

Proposal: Demolition of two storey house and replacement with a three storey, five bedroom house with first and second floor rear terraces. Widening of vehicular access, new boundary walls and sliding gate.

Date of site visit: Visited when assessing previous application AWDM/1085/20

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a detached two storey dwelling on the southern side of Old Fort Road with tiled, hipped roof with an attached pitched roof garage on the eastern side. The dwelling has a large property frontage, driveway and garden with a smaller rear garden on the southern side. This is consistent with much of the development on Old Fort Road.

Permission was previously sought to demolish the existing building and for the erection of a new three storey, 5 bedroom dwelling house with generous accommodation AWDM/1085/20. The building was of flat roof design with the ground floor the largest in footprint reducing in scale to the top floor with set in from the sides and front and rear. The building was large in footprint and scale extending to a much greater footprint than currently exists. Glazing and balconies were the main feature to the rear, south elevation. Amendments were made to improve the scheme in line with officer's advice and a recommendation for approval was made to the Planning Committee. The application was refused due to its excessive scale and massing being out of keeping and detrimental to the character and appearance of the surrounding built environment. An appeal was lodged which was allowed in June 2021. The Inspector stated that the proposal was a complementary addition to the area, not out of context with the wider area. The building would not be experienced as an overbearing or oppressive form of development.

The current scheme seeks consent for a three storey house also of tiered design with first and second floor rear terraces. The widening of the vehicular access and new boundary walls and sliding gate to the property frontage.

The overall design concept is similar however there is a reduction in bulk and scale from the previous scheme reducing the mass of the building. It has a smaller footprint and the top floor is set in more than the previous scheme and is 4 metres smaller in width. The building is 1 metre higher than that previously approved. The applicant's agent has provided a Design and Access Statement which describes the differences between this and the previous approval shown in diagrammatic form.

Materials to be used include zinc cladding, timber cladding, light coloured brick.

Consultations

West Sussex County Council: The Highways Authority

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 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions should be applied: Car parking space (details approved)

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 to be 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.

Electric Vehicle Charging Spaces

No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

Adur and Worthing Councils: - Environmental Health: -

The Design and Access statement confirms mechanical ventilation with heat recovery and air source heat pump will be installed at the property. In addition, it is noted that this application includes a swimming pool but no details of any associated plant has been provided. As these features will require external plant I would recommend the following condition:

Construction works shall not commence until a scheme is submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within

one month of the scheme being implemented. All plant shall be mounted on anti-vibration mounts and maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.

Given the proximity of this proposed development with existing dwellings I would advise the following conditions:

Hours of work
Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this
consent shall be limited to the following times.
Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be
agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Construction Management Plan
No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
- the anticipated number, frequency and types of vehicles used during construction
- HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's.
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- a commitment to no burning on site,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- methods to control dust from the site

Pulverised Fuel Ash (PFA):
The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

Engineers: - Flood risk- The application is within flood zone 3, the site is not shown as being at risk from surface water flooding. The Environment Agency have been consulted. We have no objection to the development on flood risk grounds subject to the condition requested by the Environment Agency being applied.

Surface water drainage- the application form indicates that surface water is proposed to be discharged to soakaway. This is acceptable in principle and good infiltration rates should be observed. It is advised that the applicant keeps any soakaway shallow to ensure there is limited tidal impact upon the soakaway. It should be noted that there are no public surface water sewers in the area. Surface water drainage must not drain to the foul sewer.

With this in mind, we would like to request further information be submitted prior to determination to demonstrate appropriate surface water drainage design.

The Engineer has agreed to the condition as set out below.

Environment Agency

We have no objection to the proposal 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 (ref: ADC 1268, dated 13 July 2020, by Alistair Dodd Consulting, resubmitted December 2021) and the following mitigation measure it details:

- Finished floor levels shall be set 300mm above existing ground levels (section 5.4).

This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements.

The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

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.

Please notify us immediately if you are unable to apply our suggested condition, to allow further consideration and advice.

Southern Water

Standard conditions and informatives should be applied.

Fire And Rescue

Evidence will be required to show that all parts of the dwelling is within 45 metres of a fire appliance. Any areas not will need to be mitigated by the installation of domestic sprinkler or water mist systems.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The proposal comprises replacing the existing dwelling located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the area, highway and parking and Flood Risk.

Visual amenity

The proposed dwelling will be another addition to the already rather eclectic street scene in Old Fort Road. New replacement dwellings and older style buildings sit side by side all varying in style and use of materials to form the very unique character of this locality.

It is not considered that the specific style or design of the dwelling can be questioned and it is not considered that there would be any grounds for refusal based solely on the overall design of the dwelling proposed as the street comprises so much variation. This also includes the use of materials which varies from building to building and gives an appealing contrast.

The building is proposed at 9.4 metres in height, 1 metre higher than the previously approved scheme and 1.7m higher than No.68. However, it is not considered that this height increase compared with the previous scheme warrants a refusal here. There is much variation in building height within Old Fort Road and many three storey buildings of various design and scale vary in height also. This adds to the context and variation of the street scene. The agent's Design and Access Statement refers to a recent decision at 114 Old

Fort Road where a house at 9.5 metres has been approved and the report justifies this height increase due to its similarity in scale to other buildings within Old Fort Road as a whole. In this case therefore the increased height is considered to be acceptable, particularly when taking into account the reduced overall scale of the building and the reduced width of the top floor.

As with the appeal scheme the development allows for spacing between the adjacent buildings and is sufficient to avoid a visually cramped form of development. The front projection is similar to that of the approved scheme and is in keeping with the pattern of development in Old Fort Road.

The front and side boundary treatment at 1.35 metres is considered acceptable, (the previous scheme showed 1.5 metres). This low level boundary treatment is consistent with that surrounding the site and can be supported.

Residential amenity

As was the consideration previously the proposed building would see an increase in scale and footprint from that which currently exists. There would be increased impact upon the adjacent neighbours in terms of loss of light and some overbearing impact. However this is not such to warrant refusal. In this case there is a roof terrace to the eastern side at second floor which is adjacent to the side boundary. A privacy screen 1.8 metres is proposed here to limit any direct overlooking. This relationship within the beach context is deemed acceptable. Officer's have also requested that the side screens on the rear terraces are increased to 1.8 metres from those shown on the drawings at 1.1 metres. Notwithstanding the details on the plans this condition is attached and has been agreed by the applicant's agent.

The Inspector conditioned that windows and doors on the side elevation of the building where to be obscurely glazed to protect the amenities of the occupiers of the adjacent dwelling. In this case the applicant's agent has inserted a combination of high level windows and clear glazing to the side elevations. The side 1.8 metre privacy screen will limit overlooking to the windows within this area on the east side however there is also a full height bedroom window on this side at second floor. This has the potential to look down into the adjacent bedroom window at the neighbouring property. Officer's consider that obscure glazing is required to protect the amenities of the adjacent occupiers or high level windows above 1.7 metres to avoid the potential to overlook. The applicant's agent has argued that the first floor side window on the west side should be retained as clear to allow the occupiers westerly views that they currently enjoy from the existing clearly glazed corner window are first floor at the existing property. On balance it is considered that this window can be accepted as clearly glazed as it is no different in impact to the existing situation. However the remainder (other than those screened by the privacy screen) should be fitted with obscure glazing or be high level only. A condition is attached below to that effect and has been agreed by the applicant's agent.

A condition is attached relating to the external fixed plant and that an attenuation scheme should be submitted prior to construction to protect neighbouring occupiers from noise.

Parking and Access

As set out above there are no objections to the development from the Highway Authority subject to the conditions and informatives attached. There would be sufficient off street parking and cycle parking provision. The garage can be used for cycle parking so no separate provision is required here. It is proposed that the vehicular access will be increased in width from 3.3 metres to 3.7 metres there are no highway concerns in relation to the proposed development subject to the conditions set out below.

CMP is not required in this case as the Inspector didn't deem it necessary on the previous consent.

Flood Risk

The Environment Agency has no objection to the development subject to the condition set out above and attached to this recommendation.

Planning and Climate Change

Climate change is undoubtedly the defining issue of our time. Adur & Worthing Councils' declared a Climate Emergency in July 2019 and have committed to work towards becoming carbon neutral by 2030. The Councils have also signed the UK100 Cities Pledge to achieve 100% clean energy by 2050. In November 2018, the Councils' adopted an ambitious programme of action on sustainability under SustainableAW.

A Planning and Climate Change Checklist has been prepared for Adur Council. The Adur checklist sets out the policy requirements in relation to climate change in one place to clearly indicate for which developments and in which locations they apply. It is therefore recommended that developers refer to this when preparing applications. The checklist also highlights and encourages developments to meet additional elements. The impact of setting any future requirements, including on viability, will be assessed as part of the Adur Local Plan Review.

The applicant's agent has provided a section in their Design and Access Statement entitled 'Sustainability and Waste Management.' Details are given as to how the development meets with the requirements of the checklist by providing a sustainable building. High levels of insulation and low air permeability through the structure together with MVHR systems and high performance windows and doors will reduce the heating demand and improve the building performance. Photovoltaic roof panels are to be mounted on the roof of the 2nd floor providing electricity for hot water and space heating. All lighting will be low energy LED. Cement free concrete will be specified reducing the carbon footprint of the construction. Also proposed is EV charging, air source heat pump and battery storage. Where possible it will be ensured that materials on site will be re used.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction works shall not commence until a scheme is submitted to and approved by the local planning authority for attenuating all external fixed plant. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be mounted on anti-vibration mounts and maintained in accordance with manufacturers guidance and any future plant shall also meet the specified levels within the approved scheme.
4. Materials as set out in D and A statement
5. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.
6. Removal of PD including outbuildings
7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
   Monday - Friday 08:00 - 18:00 Hours
   Saturday 09:00 - 13:00 Hours
   Sundays and Bank Holidays no work permitted.
   Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.
8. Second floor terrace screening 1.8 metres in height.
9. FRA
10. No part of the development shall be occupied until the car parking spaces have been constructed.
11. EV charging
12. No additional openings on east or west.
13. The glazing (including the doors) in the east and west elevations of the dwelling hereby permitted shall be at all times be fitted with obscure glazing or be high level openings positioned 1.7 metres above finished floor level. With the exception of the east side openings screened by

the 1.8 metre privacy screens and the first floor side window on the west elevation which can be clearly glazed only.

14. Garage remains for storage and parking of vehicles only.

15. The dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.The dwelling shall not be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

16. The sustainability and energy efficiency measures referred to in section 4.11 of the Design and Access Statement shall be installed before the dwelling hereby approved is occupied.

Informatives

1. Pulverised Fuel Ash
2. 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.

3. Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.
4. Proactive

Is recommendation contrary to letter(s) of representation? N

Case Officer: Hannah Barker Date: 2nd February 2022

Authorised by: Peter Barnett Date: 2 February 2022