49 The Meadway
Shoreham-by-Sea
West Sussex
BN43 5RN

22nd November 2022

Hannah Barker
Adur & Worthing Council
Planning Department

Objection to AWDM/1698/22

With reference to previously approved application AWDM/2007/21
For 51 Old Fort Road Shoreham-by-Sea West Sussex BN43 5RL

We have some further observations about documents relating to this application that have been added to the Planning Portal more recently.

We would be grateful if you could take these fully into consideration please.

Construction Management Plan
dated 4/10/22 (but made available to us later than this)

We request that any updated plan should be published on the Council's Planning Website in order that the document is made publicly available.

Noise

Piling is specifically mentioned, yet the Owner/project manager has repeatedly said there will be no piling. Which is it?

Shouldn't a decibel reading (85dB) have an associated distance measurement to make it meaningful?

Dust – Air Quality

Grit Blasting – is any of this really necessary?
Scabbling Concrete– is any of this really necessary?

We request prior notice for each occurrence of any activity that may generate dust or pollutants that could potentially reach our pond.

Measures to Prevent Pollution

We request that no materials that are harmful to fish be used that have the potential to spread from the construction site, e.g. that may become airborne particles.

Architect's Response to Objections
dated 10/11/22

The response from Mr Brekell to representations appears to further cloud many of the issues.

To clarify:

We do not seek to re-open the principals of previous approvals, however, we do seek assurances that conditions will be met, and all activities related to the project are carried out respectfully. Further, we exercise our right to comment on, and where necessary object to, any current or future application relating to this development.

Alleged Oversights and Errors

All of our observations are drawn directly from examination of drawings supplied to the Council by Mr Breckell, and some of these illustrate planning creep. Yes, it's relatively small, and might in isolation be considered insignificant, however when added to the migration towards the road in previous drawing versions, together with the basis for the building line, the original conservatory (which was built closer to the road than planning allowed), then yes – it is cumulatively significant.

Alleged changes to the lower ground floor

I stated that the size of the lower ground floor **lightwell** had increased, as indicated on the latest drawings, The depth of the excavation has clearly also increased significantly. The foundations in that area are 50% deeper than on the previously approved plans. However, I can find no specific reference to the size of the 'multi use' room in any of the responses on the Planning Portal.

Increasing the thickness of retaining walls cannot be inconsequential. Any increase requires a bigger hole – a contentious point in the original application, and this is a very significant issue when digging in shingle.

Alleged piling of foundations

We have heard this tune re piling repeatedly, yet are not re-assured that piling, or an equivalent such as bashing metal sheets into the shingle, will not be used. This concern is heightened as the Construction Management Plan specifically mentions Piling as a potential Noise nuisance.

Protection of existing trees

A condition to protect the trees was included in the original decision notice. However, as other major conditions, specifically regarding permission for demolition, have already been ignored, we seek assurances from the developer, and assistance from the Council to absolutely ensure that the trees are in fact properly protected in practice. BS5837:2012 provides appropriate guidance on protecting trees both on-site (I believe the owners have highlighted one) and those adjacent to the construction.

BS5837:2012 specifically states:

> ***During their lifetime, trees will be vulnerable to disturbance, injury, environmental changes, pests and diseases. Construction work often exerts pressures on existing trees, as do changes in their immediate environment following the construction. A tree that has taken many decades to reach maturity can be damaged irreparably in a few minutes by actions that might be unwitting, negligent, or wilful (see Annex A). The early provision of physical protection from damage is therefore critical.***

We have conducted a survey of all the trees adjacent to the northern border of the site and confirm that the 5 relevant trees are on average 620mm from the boundary. The RPA's are up to 8.45m in diameter (Original estimate based on Tree 4) from the centre of the trees. The RPA directly conflicts with the proposed soakaways. We therefore request that the developer finds an alternative, tree friendly, solution to their soakaway problem caused by overdevelopment.

West	Tree 1	Tree 2	Tree 3	Tree 4	Tree 5 East
Dia *	0.704	0.254	0.341	0.606	0.468
RPA Dia m	8.45	3.05	4.10	7.27	5.62

* Measured and calculated in accordance with BS 5837:2012 – All measurements in metres

Mr Breckell appears confused by the project's drawings again when he mis-quotes the infiltration blanket depth as 300mm. Drawing 200 P1 clearly seeks approval for a soakaway depth of 350mm under 200mm of topsoil. That requires a minimum excavation depth of 550mm – almost double what he suggests, and this would go straight through all of the root bearing material within the RPA.

The proposed soakaways also conveniently ignore the stipulation by the Council's Technical Services consultation response to the original application that any soakaway should be:

> **'… the fact that infiltration must be located 5m away from buildings and highways and 2.5m from property boundaries.'**

The 2 Northern infiltration blankets are about 1m from the East and West boundaries, and an average of less than 2m from our boundary (North). Each is less than 200mm from the new boundary between properties. They are about 2.8m from the new build property and about 1m from the garage to the Eastern neighbour – does this qualify as a building?

The 2 Southern infiltration blankets similarly breach the requirements from your Technical Services, though these are poorly illustrated on the drawing and obviously don't impact on our trees.

I suspect the ground conditions on our plot are typical of 'Shoreham Beach' with limited topsoil and shingle under. With Mr Breckell's extensive experience, he too should be aware that many plants, including trees, extend many of their roots throughout the topsoil layer.

If 'gravel' is to be placed 550mm below the surface, then the topsoil would inevitably need to be removed – that's where the tree roots are!

We ask that an RPA (Root Protection area) be established as per BS5837:2012 in order to protect the trees, and that no construction encroaches the RPA, including soakaways.

Drainage pump to the lower ground floor patio area

The inclusion of the sump for the pump extends excavations by a further 1.1m depth. This was already a contentious point in the original application. I feel it is very likely that the Committee

would have considered the issue differently had they realised that the extent of excavation would be one and a half times as deep as they were led to believe in the drawings presented to them at the previous application. The neighbours who commented on the original application raised the issue of drainage, therefore the applicant had ample opportunity to include it in the original scheme. The Planning department similarly had the opportunity to highlight the need. Yet all presented the drawings to the Committee at 2.1m deep, and that is what was passed. This application for excavations a minimum of 3.2m deep therefore represents further, significant planning creep which should not be allowed.

Windows

I have seen many projects where changes to fenestrations have been subject to additional planning application. There is a simple question here for the Planning Department – please examine the changes, and confirm whether they should be the subject of an additional application.

The windows to the main top floor bedroom on the south elevation are now 240mm wider. On the North elevation the main first floor bedroom windows are similarly 200mm wider, they are also a little taller. This is for each of the two new properties.

Please note I have ignored changes to openings and glazing bars as largely inconsequential.

Cladding and Render

I'm unsure how render is intrinsically better quality than brickwork, assuming that both are undertaken by suitably experienced practitioners.

However, the change in appearance from muted colours to stark white is highly likely to influence the appearance and mass of the building.

Mr Breckell appears to be confused between fears and legitimate concerns. Labelling them unnecessary is condescending and dismissive. Based on the developer's actions so far, concerns that they may wilfully ignore other planning conditions seem very real. Our detailed observations on the current application are just that, and we sincerely hope that Adur Planners and the Committee, if the decision is made by them, take our points fully into consideration.

We welcome an opportunity for meaningful dialogue between ourselves and the developers etc. and have contacted them directly regarding this as advised. However, I'm not sure that merely conducting such a meeting should dictate protocol regarding how or by whom the application should be determined.

Needless to say really, but obviously we re-iterate our objection as above and in our previous submission.

Regards
Chris and Jean Grace