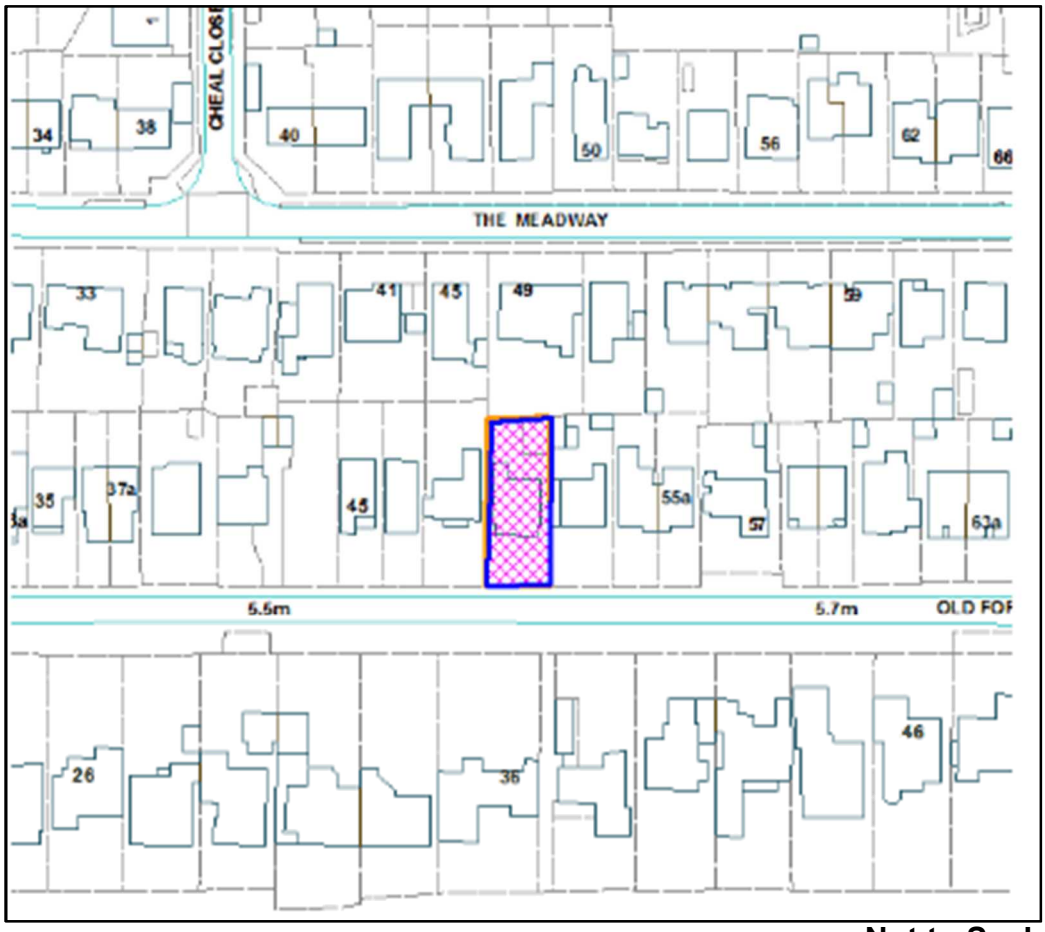
Application Number:	**AWDM/1698/22**	**Recommendation - APPROVE**
Site:	**51 Old Fort Road, Shoreham-By-Sea, West Sussex**	
Proposal:	**Demolition of existing chalet bungalow and construction of a pair of semi detached 3 storey, 3 bedroom houses (including lower ground floor below existing ground level. Application for a removal and Variation of conditions of previously approved AWDM/2007/21. To vary Condition 1 (Approved Plans) and Condition 3 (External Materials), to remove Condition 14 (Drainage) and to add a condition relating to a Construction Management Plan.**	
Applicant:	Mrs Brenda Collins	Ward: Marine Adur
Agent:	James Breckell	
Case Officer:	Hannah Barker	



Not to Scale

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This application was called in for determination by the Planning Committee by the local Member Councillor Joss Loader. However, the previous application was considered by the Committee as the applicant was the wife of a former Councillor David Collins.

Proposal, Site and Surroundings

The previous application for "Demolition of existing chalet bungalow and construction of a pair of semi detached 3 storey, 3 bedroom houses (including lower ground floor below existing ground level" AWDM/2007/21 was approved by members in March 2022. The current application proposes the following changes and approval of additional information to the existing consent: -

- Variation of materials, the proposed plans show the previously approved brickwork and brown weatherboarding replaced by white render at ground floor and first floor white cladding.
- Changes to windows, there are no additional windows proposed. Some windows have been removed and changed in size with some slight increases and design and appearance of the windows have changed in some cases.
- Additional construction details have been provided on the submitted drawings showing the lower ground floor level in more detail, including details of excavation and retaining walls.
- The addition of a ground pump is proposed, this is electric and is required to remove any run-off from the lower ground floor patio area.
- The plans show an air source heat pump for each of the dwellings, which was not provided in the previous scheme.
- A Construction Management Plan (CMP) has been submitted to accompany the application.
- Drainage details have been submitted to seek to remove condition 14 of the previous permission:

  "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.
  ***Reason**: To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

There are no changes proposed in terms of the building heights and position of the dwellings on the site. The only plans submitted changing from those previously approved are the proposed elevations. The site, location and block plans remain as

previously approved. Additional plans have been submitted for approval showing the changes as set out above.

Consultations

West Sussex County Council: The Highway Authority comments: - Condition 1 - This condition relates to the alterations proposed to elevations and plans approved under the original application. The LHA has no concerns over these details. Conditions 3 and 14 are non highway related.

The LHA does not oppose details provided within the CMP.

Adur & Worthing Councils: The ***Environmental Health*** officer - Private Sector Housing states - No comment.

Public Health: - There are no adverse EH comments for this application.

The ***Engineer*** advises on the original submission: -

The proposed approach should provide sufficient information to satisfy the requirements of the BRE 365 test.

I have looked on the planning portal and it would appear that additional information AWDM/1698/22 has recently been submitted . I would be grateful if some record of the testing could be provided to support the submitted calculations.

Further details have been submitted and **no objection** is now raised on drainage grounds and Condition 14 can be removed.

Environment Agency: **-**. No comment

Southern Water Services: No comment

Representations

Representations have been received objecting to the proposed development from the owner/occupiers of nos. 45 and 49 The Meadway and 49 Old Fort Road making the following comments.

- Effect on trees
- Surface water drainage
- Lightwell to flexible room has been enlarged, more excavation.
- Building closer to the road.
- Window changes.
- Concerns relating to the excavation and removal of shingle to create flexible room.
- Water chamber proposed, noise a concern.
- Piling required. Piling is of concern.
- White cladding will create a stark block.
- Substantial hole needs to be excavated to accommodate the structure.

- Needs to go back to Committee.
- Pump added to the structure is noisy.
- Impact of trees upon drainage system/soakaway
- Additional piling and excavation required for enlarged basement.
- Concerns with details set out in the CMP.
- Impact of construction works to neighbours pond.
- Should be measures to prevent pollution.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 21, 37
'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 (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The pair of semi detached dwellings have been granted consent and as stated above the proposals here include changes to materials, window detailing, approval of drainage details and CMP. The relevant issues here are the effects on the amenities of neighbouring residential occupiers, design and the effect on the character and appearance of the area, drainage, highway and noise impact.

Visual amenity and Street Scene

The street scene and surrounding locality comprises an eclectic mix of property style, design and use of materials. The changes proposed here from brick and brick colour weatherboarding to white render and white cladding will represent a significant change to the appearance of the dwellings, however, in terms of the street scene this will still complement the locality and would not warrant a refusal in this case.

Similarly the changes to the window designs will alter the appearance of the building yet these minor changes would not compromise the approved design and there would be no adverse visual impact.

Residential Amenity

The main properties to be affected by the proposed development are those either side of the site no. 49 and 53 Old Fort Road, those on the south side of Old Fort Road opposite and those to the rear in The Meadway. Objections have been raised, details are set out above.

The changes to the materials and windows would not give rise to any harmful impact, increased overlooking or loss of privacy than would be the case with the existing consent. The distances between the proposed windows and neighbouring properties was deemed acceptable when the previous application was considered and these changes would not warrant a refusal.

The proposed drainage details provided show a pump in the basement for surface water, this pump will be underground and will be used very intermittently. Environmental Health has confirmed that this will not have any adverse impact upon the occupiers of adjacent neighbouring properties. Similarly the proposed air source heat pumps to the front of the property will not have such an impact to warrant a refusal (and would be a positive step in terms of the sustainability of the project). Any noise or vibrations will not be such to have a harmful impact upon adjacent residents.

Drainage

As stated above the current application seeks to remove condition 14. Following submission of the previous application this condition was required. The current application provides drainage details and engineers have been consulted and have the following comments: -

*The proposed approach should provide sufficient information to satisfy the requirements of the BRE 365 test. I have looked on the planning portal and it would appear that additional information AWDM/1698/22 has recently been submitted . I would be grateful if some record of the testing could be provided to support the submitted calculati*ons.

The applicant has undertaken further on site monitoring of infiltration rates (after agreeing the approach with our Engineers) and a video has been provided showing the effective nature of the ground conditions to provide appropriate surface water disposal. The applicant states that,

'The key characteristic here is that the shingle will not hold water long enough to record data. Winter infiltration data cannot be gathered because rainwater is drained naturally into the shingle so efficiently. We understand that rainwater drainage is important in some areas that might be clay or chalk, the design is very important to the success of a housing project. But on Shoreham Beach rainwater drainage is not an issue.

We hope that the combination of our drainage design as submitted and the evidence shown in the video will enable your engineers to recommend that the planning condition be lifted and that this can be supported at committee.'

The Council's Engineers now accept that the further information addresses the requirements of the original planning condition and therefore it would not need to be re-imposed on this new permission. The other changes to the scheme are considered to be acceptable and accordingly it is recommended that the application as submitted be granted permission. The relevant previous conditions have been replicated below in addition, conditions securing the new details and agreement of the Construction Management Plan.

Other Matters

It should be noted that Condition 9 of the previous consent stated: -

The existing trees to the north of the site within the adjacent garden shall be protected for the duration of construction works and shall not be damaged, destroyed, uprooted, felled, lopped or topped.

Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur District Local Plan.*

There is no requirement for the applicant to discharge this condition or to submit any details to the Local Planning Authority. However this condition must be adhered to, the applicant and agent have been made aware of this and have advised that they will mitigate against any impact accordingly.

The applicant has advised that during demolition a concrete slab reinforced with steel was discovered under the former workshop/garage. There were no signs of roots within this area which will reassure neighbours.

Recommendation

APPROVE

Subject to the following conditions: -

1. Approved Plans.

2. Time limit (consistent with the original planning permission).

3. Materials as set out in the Approved Plans.

4. Removal of P.D including outbuildings.

5. Hours of work.

6. No additional openings, obscure glazing to east and west elevations and privacy

screens to be installed prior to occupation.

7. 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

8. The sustainability and energy efficiency measures referred to in the Design and Access Statement (submitted with the original application AWDM/2007/21) shall be installed before the dwelling hereby approved is occupied.

9. Tree Protection.

10. Access (Access to be provided prior to first occupation)
No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Plan and numbered 04A.

Reason: In the interests of road safety.

11. 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. The parking area shall be edged with raised blocks to abut the pavement to create a barrier to limit the amount of gravel overspill onto the public highway.

Reason: To provide car-parking space for the use.

12. Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

13. Electric Vehicle Charging Spaces
No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided.

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

14. Work shall be carried out in accordance with the details submitted in the Construction Management Plan.

15. Drainage details shall be implemented in accordance with approved details.

16. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: 11726, Second issue dated 8 December 2021, by GTA Civils & Transport Ltd) and the following mitigation measures it details:

- Finished floor levels for the ground floor shall be set no lower than 6.15 metres above Ordnance Datum (AOD) (Section 3.2 of the Flood Risk Assessment).

- The room on the lower ground floor (labelled as a 'flexible room' on drawing no 058 Rev A at Appendix C of the Flood Risk Assessment) shall not be used for habitable uses and/or for sleeping accommodation.

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.

Note: The non-habitable use of the flexible room is confirmed in the submitted letter dated 7 December 2021 from James Breckell Architects.

Reasons: - To reduce the risk of flooding to the proposed development and future occupants in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

17. The details contained in the Construction Management Plan submitted 19th October 2022 shall be complied with at all time during the construction process.

Informatives

1. Pulverised Fuel Ash
2. Proactive no amendments
3. Lamp Column Relocation. The applicant is advised to contact the operator of the street lighting pole to organise the moving/relocation works.

4. Vehicular crossover

5. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on

the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

6. SW standard informative
7. SUDS
8. Infiltration rates
9. Change of address.