Development Management - Delegated Officer Report

Application Number: AWDM/0318/19 Recommendation – APPROVE

Site: 148 Brighton Road, Lancing

Proposal: Single storey rear extension to ground floor with extended terrace; extension of decking with Jacuzzi and pool (on concrete bearing slab) and relocation and extension of existing metal and glass side panels of balcony at first floor level all to rear (south) elevation. (amended resubmission of AWDM/1647/18)

Date of site visit: 11th December 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is the western dwelling of a pair of 4 bedroom dwelling houses constructed in 2014, which replaced a single dwelling at 148 Brighton Road under AWDM/0266/13, (non-material amendments under AWDM/1276/14.)

Brighton Road comprises of a variety of style and scale of property. The highway is to the north and the Widewater lagoon to the south. Ground levels reduce significantly to the rear of the site. There is a raised deck to the rear leading from the ground floor with steps down to the rear garden. The application site has sloping lawn with decking adjacent to the lagoon. The adjacent matching dwelling has a terraced rear garden with steps and decking. The existing boundary fence slopes down with the gradient of the land offering sufficient screening in the context of the existing property and garden layout. Both properties have a first floor glazed balcony with side privacy screens, again offering sufficient, mutual privacy screening. The pair of dwellings has been designed with the external staircase away from the boundary with appropriate terracing and boundary treatment.

Consent was sought in November 2018 for a single storey rear extension to ground floor with extended terrace; extension of decking with Jacuzzi pool at lower ground floor level with relocation and extension of existing metal and glass side panels of balcony at first floor level. This application was subsequently withdrawn as it was considered that the proposals could not be supported by officers. Support could be given to the rear extension and increased footprint of the first floor balcony and replacement balustrade yet the new extended terrace and its level of elevation and depth was considered to be unneighbourly in relation to the adjacent property no. 148a. The staircase was located adjacent to the boundary which would have resulted in overlooking to both the garden and internal living space of the adjacent dwelling. Due to the height of the stairs and terrace any boundary treatment here would be excessively high and would be detrimental and oppressive in its own right.

The existing situation with external stairs being centrally positioned allows for the garden to be accessed without any elevated stand points directly adjacent to the boundary. It is accepted that in an environment such as this where there are lots of balconies and open views that full privacy to all properties is not possible, yet overlooking should be more distant and not directly adjacent to the boundary. The original proposal was considered to give rise to an unneighbourly form of development for these reasons.

The current application was amended to include flood mitigation measures and drainage solutions as required by the consultees detailed below. Plans have been submitted to show these details. A Structural Engineer was also engaged to list measures that should be taken during construction.

The plans for consideration here show extensions at ground floor and lower ground floor. The ground floor extension is the full width of the dwelling 2.2 metres in depth. The balcony above at first floor is to be extended over this with increased depth and width of balustrade. At lower ground floor a new kitchen/dining room is proposed 6 metres in depth. The flat roof above this extension is accessed from the ground floor extension, however the plans only show up to a depth of 1 metre to be usable and provide access to the external staircase leading to the external lower decking where the Jacuzzi and lap pool are proposed. The lower ground floor extension has a large roof light. Cedar Cladding is proposed to the existing fence.

Consultations

Environment Agency: - This application would fall under Flood Risk Standing Advice so it is right that we wouldn't be consulted and that it falls outside the external consultation checklist. It is not clear from the submitted plans that the flood defence would be affected by this development. The decision notice for the original development of the house included a condition which was requested by the Environment Agency, requiring no habitable rooms below the requested level. The Planning Authority must be satisfied that any approval granted by this application would not be in contravention of that condition.

West Sussex County Council: - Flood Risk Engineer: - This proposal is in contravention of the NPPF guidance on development in areas at flood risk and would potentially set a dangerous precedent. The proposal to extend the hardstanding area without appropriate attenuation of surface water is not in the LLFAs view acceptable.

Adur and Worthing Councils:

Drainage Engineers: - Initial objection in terms of surface water and flood risk.

Amended Plans: - The revised drainage proposals show drainage to the lagoon. However the following comments still need to be addressed.

1. The orifice size modelled is 0.022m diameter, and yet a 50mm diameter orifice is shown on the construction detail drawings. We do not permit orifice diameters less than 50mm. Please revise calculations to therefore reflect a 50mm diameter orifice.
2. Please provide proposed outfall levels, including invert levels, cover levels, bed

levels and typical water levels.
3. The cover level and top of tank level shown on plan provides 0.4m cover depth, and yet the construction detail drawing states that a minimum of 0.45m of cover depth is required.
4. Please provide cross sections of proposed bagwork headwalls.

Final revisions: - Happy with the proposals.

Lancing Parish Council: - Original Plans: - Objection: -The application should be recommended for refusal on the grounds that the proposed extension of the existing deck area and sunken Jacuzzi could have a detrimental effect on the adjacent designated Local Nature Reserve, Widewater Lagoon, and this is seen to be contravening Policy 31 of the Adur Local Plan. Please note however if the application is approved the committee requests that Adur District Council applies a condition to highlight the fact that the property is adjacent to a Local Nature Reserve and as such any building works should avoid dumping waste materials/liquids into the lagoon in accordance with the provisions of the Environmental Protection Act 1990 Sections 34, 35 and 59 fly tipping.

Amended Plans: -No objection

Representations

Letters received from owner/occupier of no. 148a Brighton Road: -

Original objection: - Overlooking would occur between properties and planting is not adequate for this purpose. Any screening would be imposing. The motor and pump in the pool would cause noise disturbance. Traffic concerns during construction. Issue with sea defences, creating flood risk to properties on Brighton Road.

First set - Amended Plans: - Overlooking no longer an objection from the first floor terrace subject to a condition relating to the roof not being accessed. Other objections all remain.

Second set – The sloping section of fencing between 148 and 148a will be undermined by the removal of the bank at 148. What is the retaining structure as we would need to replace and maintain the fence. The lap pool is on a ground bearing slab the height of the pool is not stated in relation to the fence. Noise may be more audible.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock 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 and the effect on the character and appearance of the dwelling and its surroundings. Due to the siting of the development and the nature of the proposals in this case Flood Risk and Drainage matters are of importance here and are considered below.

Visual amenity

The works to the property are all to the south of the building therefore will not be visible within the street scene from Brighton Road. To the south however there are public views towards the site from public footpaths and the seafront. Although the proposed changes will result in the pair of properties no longer matching this is not considered to be of concern here in terms of visual character and appearance. There is much variation in property style, scale and appearance within this area and the changes proposed are not considered significant within the context of the overall area. The additions are not overly large or bulky and the largest extension is at lower ground floor level therefore having limited visual impact. The changes to the balcony, creation of 1 metre depth terrace, extension to decking and repositioning the external stairs also within the context of the surrounding properties are not changes that will be detrimental here. Balconies, terraces, decking and related paraphernalia are common place in this setting. A condition is attached to ensure that materials will match existing as detailed on the submitted plans.

Residential Amenity

Residential amenity and the impact upon the adjacent dwelling no. 148a are of relevance here and have informed the amendments that have taken place. It is considered that as amended the works allow for the privacy to be protected both at the neighbouring property and the application site. The enlarged first floor balcony will be enclosed with privacy screens as is currently the case, and the enlargement is not such to result in any significant increased overlooking. A condition is attached to ensure that privacy screens will be installed.

At first floor the extension is limited in depth to 2.2 metres and the access to the terrace is limited to a depth of 1 metre and the external steps are adjacent to the western boundary. Planters proposed offer screening and separation from the mutual boundary. A condition is attached to ensure the restricted use of the terrace and that the planters are to be installed and maintained. The proposed steps and terrace are also adjacent to the boundary with no. 146, this has an open terrace adjacent to the site and a retaining wall and boundary fencing. The relationship between these two properties is considered acceptable. There is already mutual and less immediate overlooking from no. 146.

The lower ground floor extension will be screened from properties on both sides. It will lead onto the decking which is to be extended with the Jacuzzi/pool. It is not considered that the extension to the decking and proposed pool will give rise to any overlooking or amenity issues which would be unusual within this locality. The proposal includes the pool to be on a concrete ground bearing slab which is to be

flush with the decking and the pool is proposed at 1.4 metres in height. The neighbours have expressed concern with regards to the noise of the motor/pool. The pool will be fully screened behind the boundary fence and limited in height. It is also considered that planning consent is not required for the pool in this case therefore issues relating to any noise created should be directed to Environmental Health if it becomes a nuisance. However it is likely to be only used at limited times of the day and have limited impact.

The plans as amended are considered to address the outstanding residential amenity issues as previously identified and subject to the safeguarding conditions set out below the proposals are satisfactory.

Flood Risk

The Council's Engineers objected to the original proposals in the light of the impact of such development upon the flood defences and potential for flooding the site and the Brighton Road beyond. The Environment Agency was therefore consulted along with West Sussex County Council and their comments are set out above.

The applicant's agent has employed the services of a structural engineer and worked with the various consultees to revise the plans and provide a strategy of works which have safeguarded the site and surrounding area from flooding. The plans and accompanying documents have been submitted and are considered acceptable by all parties, details of which are conditioned below.

The kitchen/diner at lower ground floor is considered to be a non habitable space and is therefore acceptable in terms of the condition relating to the original permission at this site advised by the Environment Agency. The submitted documents show how surface water will be drained, show that a flood door is to be installed and retaining wing walls to either side of the building in addition to other technical detailing and construction methods. All the work will be subject to building regulation approval. Any changes or amendments required during construction will be subject to formal written consent by the Local Planning Authority.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials to match existing
4. Privacy screen at first floor
5. No access to the roof of the lower ground floor extension only access to 1 metre depth of roof and external stair case.
6. Planting adjacent to the eastern boundary shall be installed and maintained at all times as shown on the approved plans. ….
7. Fencing shall be installed as shown on the approved plans and shall remain in place at all times.

8. Work shall be carried out in accordance with details contained in the Dixon Hurst letter from Jethro Sifflet received 6th November 2019 except for the third paragraph which refers to 'discharge into the public sewer in Brighton Road' is to be omitted and discharge shall be into the lagoon as shown on the approved engineers drawings as referred to in Condition 9.
9. Flood mitigation measures as shown on Drawing nos. 54932/10 Rev B received 29th Dec 2019, 54932/11 Rev B – received 29th December 2019 and Drawing no. 26o96-20 Rev C received 6th November 2019 shall be installed and remain in place and be maintained at all times unless otherwise approved in writing by the Local Planning Authority.
10. No windows on the side wall of the extensions hereby permitted.

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

1. Proactive with amendments
2. No dumping of waste into the lagoon

Case Officer: Hannah Barker Date: 13th January 2020

Authorised by: Peter Barnett Date: 13 January 2020