Expiry Date – 8/10

Development Control – Delegated Officer Report

Application Number: AWDM/1544/21 Recommendation – Grant

Site: 114 Old Fort Road, Shoreham Beach

Proposal: **Demolition of existing two storey house and construction of a three storey flat roofed 4 bedroom link detached dwelling with balcony at first floor and terrace at second floor south elevations and two air source heat pumps.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 30/11

Site and Surroundings

The application relates to a detached two storey dwelling on the southern side of Old Fort Road backing onto the beach. It is close to a roundabout and to a public footpath to the beach on the west side of No. 116. The dwelling is a rendered and painted house under a tiled roof. It has a ridge line higher than its neighbours, No. 112 is a chalet bungalow and No. 116 a house of similar design to the application site but extended on its east side. The site has a flat roofed projecting front (north side) garage on its west side. This garage is attached to the wall of a front addition at 112. 112 and 114 are also joined by light weight additions along this boundary behind their garages.

The house has a deep front garden with access off Old Fort Road to the garage and parking for 3 to 5 cars in the frontage. The rear garden is smaller. This is consistent with much of the development on this side of Old Fort Road.

The site is approximately 15 metres wide and 47 metres in depth.

It is not in a conservation area and is not listed. The beach itself is a Local Wildlife Site and Local Nature Reserve.

Proposal

A three storey flat roofed house is proposed. It is a contemporary tiered house reminiscent of others erected on the beach over the years reducing in width the higher it gets. It includes a flat roofed front garage.

In the revised scheme the building has been reduced in height by 200mm. Also, the entire building has been moved 1 metre northwards and the 2nd floor terrace has been pulled in from the eastern flank by 1.5 metres.

The new height of the proposed house is 9.5 metres. The existing house has a ridge height of 8 metres.

This is a Passivhaus design to be built using the latest sustainable technologies. It is a 'fabric first' (walls are 500mm thick), thermal bridge free construction with high levels of airtightness and mechanical ventilation to provide constant fresh air for excellent air quality and occupant health. The house will be all electric (no gas on site) and heating and hot water will be provided by an air source heat pump. Heating costs will be around 1/4 that of a traditional building. Electric charging points are provided to the garage for electric vehicles.

The design includes overhangs to all floors to provide solar shading. In addition the house is shown to have sliding shutters on the south elevation to further deal with the issue of overheating.

Relevant Planning History

ADC/0224/10 – Enlarged rear conservatory. Granted.

ADC/0300/09 - Removal of condition 1 of SU/95/03 (permanent removal of screen at east side of rear balcony) (renewal of ADC/0296/07). Refused

ADC/0296/07 - Removal of screen at east end of first-floor rear balcony (relaxation of condition 1 of SU/95/03). Granted

SU/95/03 - First-Floor Rear Balcony. Granted

Consultations

Environment Agency:

'We request 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 (FRA) ('Flood Risk Assessment, 6040, 114 Old Fort Road, Shoreham, BN43 5HB', ref: 6040, dated: 04/02/2021, by Ambiental Environmental Assessment) and the following mitigation measures it details:

- ***Section 7.4 of the FRA - Sleeping accommodation should be raised above the 1:200-year 70% Climate Change (Upper End) 2125 epoch flood level (7.48mAOD). Sleeping accommodation will need to be provided at the first-floor level.***

  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.

  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.

Advice to the Local Planning Authority and Applicant

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you would like to find out more about reducing flood damage, please visit the Flood Risk and Coastal Change pages of the planning practice guidance (https://www.gov.uk/guidance/flood-risk-and-coastal-change).

The following documents may also be useful:

Government guidance on flood resilient construction
https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/CIRIA/Resources/Free_CIRIA_publications/Resources/Free_CIRIA_publications.aspx?hkey=622b85b3-7d21-4e59-8093-459571496a0a

British Standard 85500 – Flood resistant and resilient construction
https://shop.bsigroup.com/products/flood-resistant-and-resilient-construction-guide-to-improving-the-flood-performance-of-buildings?pid=000000000030299686

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. Our flood warning service is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding.

To get help during a flood, visit https://www.gov.uk/help-during-flood.

For advice on what do after a flood, visit https://www.gov.uk/after-flood.'

Technical Services:

'Thank you for the opportunity to comment upon this application. We have the following comments on flood risk and surface water drainage.

Flood risk- The application is within flood zone 3. We note that proposed plans show a bedroom on the ground floor, this contravenes the FRA and is not acceptable.

Surface water drainage- it is not clear what the proposals for discharge of surface water are. Given the scale of development and lack of nearby public surface water sewers we would request that the following condition is applied to ensure that the site is adequately drained and does not increase flood risk elsewhere:

"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."

and the accompanying informative:

"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.'

Southern Water:

'Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

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.'

Highways:

'This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals. I refer to your consultation in respect of the above planning application and would provide the following comments.

Site Background
The proposal is for the demolition of a 4-bedroom house, then the construction of 4-bedroom house. The application site is found on Old Fort Road, a public kept, low trafficked, unclassified road subject to a 30mph speed limit and set within an urban setting. As a result, the Local Highways Authority (LHA) will refer to Manual for Streets (MfS) as guidance.

Access
An established access point will serve the proposed dwelling. No changes to the access are proposed.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is currently

operating unsafely. With all the above considered, the LHA would not anticipate that the proposal would generate a highways safety concern at the existing access.

Vehicle Parking
Under WSCC Car Parking Guidance (adopted August 2019), the LHA would expect that 3 parking spaces would be enough for a development of this size and location.
For the LHA and MfS to consider parking spaces towards the provision of a site they must first meet minimum requirements of,
- *Single bay parking space or carport - 2.4 x 4.8 metres,*
- *Single garage space - 3 x 6 metres (Internally),*
- *Single parallel parking space - 2 metres (obstruction free i.e. fence) or 2.4 metres x 6,*
- *Disabled Bay parking - 2.4 x 6 metres,*
- *Disabled Tandem parking - 2.4 x 6.6 metres,*
- *Hardstanding space abutting an exit deemed an emergency escape – 2.4 x 6 metres.*

Following the above guidance, the LHA supplies the following comments.

The applicant has only demonstrated on the plans a parking provision of one car located in the garage.
The dimensions of the space(s) are,
- *Garage space - Measures 4.45 x 5.47 metres (Internally),*

For the LHA to consider a garage to supply a parking provision of 0.5, the garage must first measure a minimum of 3 x 6 metres (as per MfS guidance) internally.
As such, the garage would be considered to provide a NIL parking provision.

The LHA also notes that the hardstanding area present on the plans is large enough to accommodate the parking requirements of the dwelling and as such the LHA raise no concerns over the vehicle parking proposed on the site.

Cycle Parking
Upon inspection of the plans and supporting documents the LHA concludes that the applicant proposes to supply a NIL cycle parking provision. The LHA advise the following,

The LHA wish to inform the applicant that MfS and WSCC guidance also considers the utilities a garage provides, specifically the cycle storage aspect. As such, the LHA believes it reasonable to presume that the garage will provide cycle parking and can be conditioned with details to be provided(condition found below).

Electric Vehicle (EV) Parking
The LHA notes the applicant has indicated that EV parking will be provided, however, no details have been provided at this time. The LHA provides the following comments.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging

points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via a suitably worded condition which is advised below.

Additional

With the narrow nature of the road and the proximity of the access to a roundabout the LHA states the following.

WSCC acting as the Local Highways Authority (LHA) requests the submission of a comprehensive Construction Management Plan (CMP). This should set out the implementation of controls throughout the construction project to ensure that safety of users of the public highway, as well as its operation is not detrimentally affected. The construction management plan shall amongst other things, set out the management of deliveries along Old Fort Road considering the carriageway width and presence of other vulnerable road users. The LHA would be mindful to secure such matters via a suitably worded condition.

Conclusion
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.

The LHA advises the LPA that if they are mindful to permit the above application than to attach the following conditions:

Conditions
Parking
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 always thereafter be kept 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.

Construction Plan
No development shall be commenced until plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractor's vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
Reason: To avoid undue congestion of the site and consequent obstruction to access.

Environmental Health:

'Please can you put a CMP condition on this for demolition and construction.
The full contaminated land condition, as the geotechnical report has identified soil contamination. And finally, the demolition notice, informative.'

Representations

Neighbour objections from 112 and 116 summarised as follows:

1. Overlooking of both neighbours from second floor terrace. First floor slatted screen inadequate. Frosted glass should be used as elsewhere.
2. Overshadowing of both neighbouring houses and gardens and in particular side windows in 116, contrary to policy 15.
3. Building 1 metre deeper southwards. This together with the side canopies will increase the impact and overshadowing effect.
4. Out of scale with houses either side and opposite. Height increase proposed is 2.1 metres. At 66, recent allowed appeal, the height increase was only 600mm. Insufficient spacing between buildings too. Incongruous mass between existing buildings and consequently contrary to policy 15.
5. Type of foundations unclear. Unstable ground and scale of build threatens neighbours foundations/houses. The build in extremely close to 112 especially.
6. No venting for steam room or plant room shown. What is the likely impact on 116?
7. No Construction Management Plan details submitted so full impacts of build on neighbours' living conditions unknown.

Shoreham Beach Association object to the proposal:

'The build, whilst similar in scale to houses east of the roundabout, is not in keeping with its immediate neighbours or those west of the roundabout, being a storey taller. The finished house will be incongruous in the streetscene both in terms of mass and design.

Privacy screens need to be added to the second floor. The first floor slatted screens only offer limited protection.

Loss of light, overshadowing of 116.

Threat to integrity of the buildings themselves at 112 and 116 due to scale and proximity of build. No construction management plan submitted, to protect neighbor amenity.'

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2021
Adur Local Plan 2017 Policies 1, 2, 3, 15, 18, 19, 20, 31, 34, 35, 36 including 'Development Management Standard No. 1 Space Around Flats and Houses' and 'Development Management Standard No.2 Extensions and Alterations to Dwellings'.
WSCC Guidance on Parking at New Developments (Sept 2020).
Sustainable Energy SPD (August 2019)
Technical Housing Standards – nationally described space standard (DCLG 2015)
Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

Planning Assessment

Principle

The principle of redevelopment is acceptable in this sustainable location within the built up area boundary. The principle of a three storey tiered development is also acceptable as the beach has seen many such redevelopments recently. For consideration are the impacts of the development on the streetscene, on neighbour amenity, flood risk, sustainability, accessibility and parking, contaminated land and ecology.

Streetscene

There are a number of three storey tiered houses on Old Fort Road, for example but not exclusively Nos. 98, 100, 124, 136 and the current build at No. 138 which is nearing completion. It is also not untypical to have three storey houses positioned next to two storey or chalet bungalows along the road as at 98 and 96 for example. There is also fluctuation in the front building line with front two/three storey details projecting forward of their neighbours for example at Nos. 124, 98 and 100.

In a recent appeal decision at No. 66 Old Fort Road for a 3 storey dwelling in allowing the appeal, the Inspector stated:

It is clear from my decision on the appeal that upon considering the evidence and conducting a site visit I found the area to be an eclectic mix of properties, demonstrating a variety of architectural styles in both form and scale. This variation can be accommodated due to the vast openness of the area, which allows for larger properties to sit alongside more modest ones, all benefitting from generous sized plots.

Having regard to some of the comparative buildings that have been permitted, there is a lack of reasoning in the council's case in respect of the harm that they assert would be caused by this dwelling. Each proposal must be considered on its own merits. However, in this particular area there is a clear evolution in building design that has been permitted over a period of time by the Council. These larger dwellings are spread out such to avoid clusters of dominant forms, and the proposed dwelling subject to this

appeal would not be in a cluster. When assessed on its own merits, whilst having regard to the surrounding development, the proposal would comply with the development plan.

The Inspector's comments are considered to be a material consideration in the determination of the appeal.

It is understood that No. 136 is the tallest house on the street at present with a ridge height of 9.3 metres. It has a central gable feature but is otherwise hipped with subordinate height wings. No. 138 is a three storey house nearing completion following approval in 2020 (AWDM/1877/19 refers). This house replaced a bungalow. It has a maximum height of 9.1 metres. The second floor, however, is only half width and on the west side adjoining the overall taller No. 138. Nonetheless it is 2.6 metres taller than the ridge height of No. 140. 98 Old Fort Road is overall 2.9 metres taller than No. 96.

The proposed house, as amended, is 9.5 metres in height and thus would be the tallest in the street by 200mm. It too would be 2.9 metres taller than No. 112 and 2.7 metres above the ridge line of No. 116. There is no doubt that it would be very noticeably taller than its neighbours and consequently very apparent in the streetscene. Arguably, this site is in a more prominent position as it is close to a roundabout and one in from the end of a stretch of houses with a large gap to the beach between 116 and 118. However, given the similarities in scale to others approved in the street it is not considered that the extra height in this case, or wider second floor, is sufficient to justify a refusal.

The proposal is set off the west boundary with No. 116 by 1100mm at ground and first floor, minus the overhangs, and 2.5 metres at second floor. It is set off the eastern boundary with No. 112 at first and second floors by 2.1 metres, again minus the overhangs. The site and No. 112 currently abut each other at ground floor along their common boundary.

This level of separation provides sufficient space between them to ensure the building does not appear cramped to each boundary in streetscape terms. The recent appeal decision referenced the vast openness of the area which allows larger buildings to sit next to smaller ones without significant harm.

Neighbour amenity

The building has been moved northwards by 1 metre. Consequently its rear (south) ground and first floor building lines respect the position of the existing rear wall. The 2nd floor is set further back, northwards.

No. 116 has two side windows in its rear ground floor room one behind the current rear building line and one facing towards the side wall of 114's conservatory. This room has been extended and has two sets of double patio doors in its south elevation. The existing building already impedes light to the flank windows in 116. Their primary light and outlook is from the south and this will not be affected.

The rear build will line through with the rear wall of No. 112. This house is about to be extended in accordance with a recent permission, AWDM/1848/21. There are no primary habitable room windows in the east flank wall currently nor will there be following the building works. Again no significant overshadowing will occur.

A 1.3 metre deep first floor rear terrace is proposed across the full width of the house. This is at bedroom level. The existing house currently has a half width first floor terrace on its west side with obscure glazed screens. The new terrace is to be fitted with full height timber slatted screens. No. 116 has a first floor rear terrace with no screens slightly deeper than now proposed. It is also currently possible to look from first floor bedrooms in both east and west directions from wraparound conservatory style side windows. Arguably, privacy will be improved as no rear side windows are proposed that will enable a view. Given the level of intervisibility between neighbours currently and more generally from The Boardwalk etc. slatted screens are considered to be acceptable in providing adequate privacy. The applicant has proposed that an acceptable condition on the matter would be that the slatted screen be erected in accordance with the exact design on the drawing i.e. 100% opaque as viewed directly. This is very reasonable and recommended.

The main living accommodation is to be positioned at second floor level in an open plan kitchen/dining/living room arrangement. This room will have a 3.5 metre deep balcony. It is shown to be screened by 1100mm high glazed screens. In the revised scheme the second floor screen has been pulled in from the east side by a further 1.5 metres so that usable terrace space is set off the eastern boundary by 2.7 metres. It is set off the western boundary by 2.4 metres. Both neighbours object to the absence of a more significant screen.

The applicant has pointed to the fact that mutual overlooking already exists from the first floors and that No. 112 will soon have a first floor terrace. He also points to other 2nd floor terraces where less substantial screens have been allowed such as at No. 124.

In the case of No. 124 the second floor terrace is less deep and is off of bedrooms. In this case the main terrace is off of the first floor living space and has high obscure glazed screens at either end.

Given the size of the terrace proposed and the fact that it is off the main living area it can be expected to be more frequently used than the current terrace or any terrace off of a bedroom. Consequently it is considered appropriate to require screens at this level too. The set in from the boundaries is welcome but a more significant screen is still considered to be necessary.

Moving the building 1 metre northwards means the building will sit forward of No. 116's garage at ground floor but still not forward of the front addition at No. 112. There is considerable fluctuation in the front building line of houses on this side of Old Fort Road. The degree of protrusion is not significant in its overall context. The first and second floor stair tower is set well away from both boundaries and drawing 8308:08 clearly shows that it will not breach a 45 degree angle from the midpoint of first floor windows either side.

High level windows are shown on the west elevation. These are conditioned to be a minimum of 1.7 metres off floor level. Wrap around second floor windows are set in off the side walls and 2 metres back from the main rear wall. They will allow a view over the roofs of the existing neighbouring houses. They are further back and set in further from boundaries than existing first floor side facing windows in the existing conservatory style first floor addition.

Two east side second floor windows are also proposed towards the front of the building. These are designed to allow for a view towards the Downs and the space behind them is only large enough to accommodate a single chair. One is on the front tower and another further south in the main flank wall. They will both look across the front garden and/or garage roof at 116. As this is the least intimate part of No. 116's curtilage it is not considered that significant or harmful overlooking from them will occur.

Accessibility and parking

The access is not altering. The garage is redrawn in the revised plan without storage and is shown to be 6 metres in depth and therefore suitable for parking purposes. In reality it is more likely to be used for storage purposes. There is off street parking available otherwise for 3 + cars.

Flood risk

The Environment Agency is satisfied with the Flood Risk Assessment submitted. Bed 4/ studio on the ground floor is now a home office and all bedrooms are at first floor level.

Sustainability

Paragraph 134 of the National Planning Policy Framework states that:

'*significant weight should be given to: b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*.'

Whilst the proposal is reminiscent of other tiered houses built on the beach in recent years in this case the house has been designed to meet the exceptional standards of a Passivhaus build.

The applicant has submitted the following statement with regard to this proposal:

*'114 Old Fort Road | **An exemplar***

1. 114 Old Fort Road encompasses the leading thinking in the industry and cutting edge design, and as such is an exemplar, raising the bar for Shoreham Beach.
2. The vast majority of buildings being built in the UK today are of poor quality and will actually require retrofitting within their lifetime, a situation which makes no sense considering the climate crisis.
3. Passivhaus addresses the issues and provides the main guiding principles leading to super low energy consumption and excellent indoor health and comfort.

4. Thicker walls, floors and roofs allow for optimal levels of insulation reducing heating costs to about a quarter of that of a conventional building.
5. Overheating is already (and will become an even bigger) issue as the climate warms, and while most buildings pay little attention to this issue, Passivhaus demands overheating is designed out.
6. The high level of insulation at 114 will not only keep the building warm in the winter but also keep the unwelcome heat out in the warmer months. Critically, the extensive overhangs and moveable vertical sliding screens on all three floors shade the glazing from the sun. Furthermore, Windows and doors can be left open (secure from both theft and weather) to dump heat (especially overnight) keeping the building cool and comfortable throughout the year.
7. In a traditional building, indoor air quality is often many times worse than outside, and this is addressed by a whole house ventilation system which constantly delivers just the right amount of fresh air to every room (and even recovers 90% of the heat from the stale exhaust air, further reducing energy consumption).
8. These Passivhaus guiding principles lead to an exceptional indoor environment (being very stable at around 20 degrees all year), no draughts, no cold surfaces, no damp or condensation and so occupants benefit from improved health, sleeping and (arguably) longer life expectancy!
9. 114 Old Fort Road will be all electric with a solar PV array (hidden on the top floor roof) and so will be ultra low carbon.
10. The durability of a building is vital if it is to have a long life and be as sustainable as possible, so all aspects of the building have been designed to work effectively and to last.
11. The site is likely to flood in its lifetime, but rather than accept flood waters entering the building, the ground floor openings will have removable temporary flood gates (which can be stored in the garage).
12. In summary, all the issues which face us in the 21st Century have been addressed, rather than ignored.'

Contaminated land

A basic contamination report was submitted with this application which identified contaminants within the soil. Consequently, colleagues in Health have requested a full study be conducted prior to works commencing. The appropriate condition is recommended.

Ecology and biodiversity

The site backs onto a Local Wildlife Site and Local Nature Reserve. Protecting them during construction is paramount. A Construction Management Plan condition is recommended to protect this, and for more general highway/amenity reasons, together with the relevant informative.

Other issues

<u>Foundations.</u>

Reports submitted with this application have identified unstable ground conditions typical of the site's situation on the beach. Understandably both neighbours are

concerned about destabilizing the ground during the build and the potential for damage to their homes as a consequence. The type and depth of foundations is not generally a planning matter but rather is covered under the Building Regulations. Party Wall agreements will need to be entered into and damages recovered through civil action.

Conclusion

The intended build is considered to be of high quality. It will be the largest house of its type in the street and will be very apparent in its context. However, Old Fort Road has seen significant redevelopment with three storey houses and this appears to be the general direction of travel on redevelopments on this side of Old Fort Road. The road is an eclectic mix of design, form and scale. In this case the scale is not so significant that it justifies refusal.

Recommendation

Approve Subject to conditions:-

1. Approved Plans
2. 3 years
3. In accordance with FRA
4. Full Contamination study details – pre-commencement
5. Surface Water drainage details - – pre-commencement
6. Samples of Materials – pre-commencement
7. Construction Management Plan details - – pre-commencement
8. Hard and soft landscaping details - pre-commencement
9. Second floor terrace privacy screen details – pre-occupation
10. First floor screens erected in accordance with plans, 100% directly facing.
11. PD restricted
12. West side high level windows min 1.7 m off finished floor level
13. No new side windows
14. Parking and EV's provided prior to first occupation

INFORMATIVES

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. Pulverised ash
3. Access required from Parks and Foreshore
4. Soakaway infiltration rates
5. SW connection
6. SW sewer

7. Demolition notice

Case Officer: MOK Date: 5/11/21

Authorised by: PB Date: 5/11/21