Expiry Date – 4/6

Development Control – Delegated Officer Report

Application Number: AWDM/0445/18 Recommendation – Refuse

Site: 2 River Close, Shoreham

Proposal: Erection of new dwelling attached to north-east side elevation of No.2 and demolition of two existing garages, erection of new single replacement garage/cycle store and erection of new 1.8m high wall along part of north-east boundary. New eaves dormers front and rear of No. 2.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 4/5

Site and Surroundings

This application relates to an end terrace two storey house on the south side of River Close, a cul de sac off Beach Green in Shoreham Beach. These houses were built in the early 1960's and nos. 1 and 2 are two storeys and the remaining 18 terraced houses are 3 storeys with front and rear eaves dormer windows. Being two storeys in height nos. 2 and 3 have a lower ridge line than the 3 storey houses in the same terrace at 4-7 (inc). Opposite houses 8-21 (inc) is a continuous terrace with a paired, staggered front building line. Nos. 2 and 3 have stairs up to the ground floor level on the roadside, the other houses have level access and integral garages, some of which have been converted into rooms.

The site itself is an end of terrace dwelling with a side and rear garden. It has been extended at rear roof level. It does not have a first floor front eaves dormer like all the others in the road. First floor bedrooms are lit from the side wall and there is a rear first floor bathroom window. It has two garages in its rear garden which adjoins a rear passageway appearing to serve Nos. 2 and 3. The side garden in enclosed by a low picket fence and includes a shed and two trees.

Opposite the site, to the north of No. 22, is an open area of public open space with a path running through it .

The site sits in Flood Zone 3. It is not in a conservation area and is not listed. There are no protected trees on the site.

Proposal

Planning permission is sought to erect an end of terrace house to match the existing one. To compensate for the loss of side windows, front and rear dormers are proposed

at eaves level in the existing house. The new house will not have dormers but will have side bedroom windows and a rear eaves bathroom window to reflect the existing elevations of No. 2.

The paired rear garages are to be demolished and a new one built closer into the corner of the garden. The rear passageway is shown to be incorporated into the site of the new house. There is an existing crossover in this area which also serves the garage at No. 1. The existing house does not have frontage parking and none is proposed in this application.

Relevant Planning History

SU/181/80/TP – Porch. Granted 21.7.90

Consultations

Environment Agency:

'Environment Agency Position

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the proposed development, as submitted, and recommend refusal on this basis for the following reasons:

Reason

The site lies within Flood Zone 3 of our Flood Map for Planning (Rivers and the Sea). This indicates an area with a high probability (1 in 200 year) of flooding, in accordance with the national Planning Practice Guidance (PPG).

The proposal includes raising finished floor levels (1250mm above ground level), however the FRA does not state what the ground level is. Furthermore it is proposed to use the first floor as safe refuge, but it has not been demonstrated that finished floor level of first floor will be raised above the design flood level [0.5% annual probability (1 in 200) flood level] with an appropriate allowance for climate change, which for this area is 5.39m AOD. Consequently there would be an unacceptable risk to the health and safety of the occupants in a flood event.

Specifically the FRA will need to include:

- *The 1 in 200 year flood level plus appropriate allowance for climate change*
- *A comparison between this and the finished floor level of the first floor, where sleeping accommodations will be located.*
- *Confirmation that the aforementioned finished floor level is above the 1 in 200 year flood plus appropriate allowance for climate change.*

Overcoming our objection
You can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase flood risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.'

Southern Water

'Please find attached a plan of the sewer records showing the approximate position of foul sewer within the site. The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:
-No development or new tree planting should be located within 3 metres either side of the centreline of the foul sewer.
-No new soakaways should be located within 5m of a public sewer.
-All existing infrastructure should be protected during the course of construction works.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

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.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer. 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.'

Council's Drainage Engineer:

'The application form is wrong at section 12, but an FRA has been provided so that's ok.

The site lies in flood zone 3, is unaffected by predicted surface water flooding and has no history of flooding.

The site will be better protected once the EA Adur tidal walls scheme is completed, but will remain in flood zone 3.

The plans for the development show first floor bedroom which is appropriate for this area.

The application form mentions surface water disposal via soakaway and permeable paving, which is appropriate.

The development will have a raised ground floor and raised electrical points so consideration for flood resilience is apparent, therefore,

The applicant needs to assess if the use of soakaways is viable on this site. The proposed location for the soakaway will need to be more than 5m from existing or new structures, and there will need to be a soakage test undertaken at that location, and in the area of the permeable paving to ascertain if a soakaway will adequately empty. There appears from the drawings to be sufficient area to adequately site soakaways.

Therefore in this instance the only comments we wish to make at this time relates to the disposal of the surface water.

In the absence of any ground investigation details or detailed drainage details in support of the application we request that should approval for this new build be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority'

Soakage tests in accordance with DG 365 (2016) would be required to be undertaken on the proposed site to provide the data to ascertain the size of the soakaway required for the impermeable roof areas.

Full design calculations should be provided for the soakaway soakage test result, and the ensuing soakaway and permeable paving designs, along with the rainfall calculations with the additional rainfall quantities appropriate for climate changes, as required under planning policy.'

Highways:

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

Summary
This proposal is for the demolition of two garages and the erection of an attached 2 bedroom dwelling on garden land to the east of 2 River Close. River Close is a no-through residential road subject to a speed limit of 30mph.

The Local Highway Authority (LHA) requests further information from the applicant in order to adequately assess the application.

Access and visibility
The site is currently served by an existing vehicular crossover (VCO) to the east of the site, which provides access to the two existing garages. This VCO will be retained to serve the proposed new garage. An inspection of data supplied to WSCC by Sussex Police over a period of the last five years indicates that there have been no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is operating unsafely. Furthermore, the LHA anticipates that due to the residential nature of the road, and presence of on-street parking, vehicles will not be exceeding the posted speed limit.

As the two garages are being demolished and only one garage will be erected, the LHA advises that the existing VCO should be reduced in width as vehicular access further north of the proposed garage will no longer be required. The applicant should provide a plan demonstrating the kerb reinstatement. A licence will be required for these access works.

Parking and turning
The proposal is to demolish the two existing garages and erect a new single garage approximately 1.5m to the south. The LHA requests that the applicant provides clarification of the red edge to the south of the existing garages. This area of land has not been included within the red edge of the block plan, but has been incorporated within the red edge of the site plan. The proposed plans indicate that the new garage will be approximately 2.5m x 4.5m. Manual for Streets (MfS) and WSCC guidance sets out minimum internal dimensions for a single garage of 3 x 6m in order for the garage to count as allocated parking. The LHA requests that the garage is enlarged in order to provide off-street parking for the development. The applicant should also clarify whether the garage will serve the existing or proposed dwelling as this is not clear.

The plans do not demonstrate the proposed parking provision for the existing dwelling. An inspection of the plans provided indicates that the frontage of the existing dwelling is not sufficient to accommodate a parking space of 2.4m x 4.8m as set out in MfS.

Historical mapping indicates that parking has occurred in front of the existing garages. However, this space is not large enough to adequately accommodate a car and should not be used as it encroaches upon the publically maintained highway.

The WSCC parking demand calculator anticipates that a minimum of one parking space will be required per dwelling for a development of this size and location. Overspill parking could be accommodated on-street. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety. The LPA may wish to consider the impact of additional on-street parking from an amenity point of view.

Sustainability
The proposed dwelling is located within walking distance of a bus stop and local shops and approximately 14 minutes' walk to Shoreham-by-Sea train station. The applicant proposes to include cycle storage although details of this have not been provided. The current proposed single garage is not of sufficient size to accommodate cycle storage.

Conclusion
In conclusion, the LHA require additional information in order to assess the proposal adequately. Please request that the applicant provides detailed plans demonstrating the following:

- *The kerb reinstatement*
- *Clarification of the red edge of the site*
- *Revised garage plan demonstrating internal dimensions of 3 x 6m*
- *Proposed parking provision for both dwellings and clarification as to which dwelling will be served by the proposed garage'*

Environmental Health:

'As this site is in very close proximity to existing residential dwellings I have concerns about the resulting noise and dust associated with the demolition and construction works. I would recommend the following conditions.

All works of demolition and construction, including the use of plant and machinery and any deliveries or collections 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.

Construction work shall not commence until a scheme for the protection of the existing neighbouring properties from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development.

The precautionary contamination condition and PFA informative should be included in any favourable decision.'

Tree and Landscape Officer:

In my opinion neither tree on the site is significant enough to be considered for a TPO. The Silver Birch appears to be dead, and the Sorbus is not an outstanding tree. If the application were to go ahead consideration should be given to a replacement tree.

Representations

12 objections received summarized as follows:

i. On street parking in the area has increased. Adding more cars to the close will exacerbate the problem.
ii. The close has lots of young children playing together in it, a rare thing. This development is likely to undermine this.
iii. Overdevelopment. Building two houses on the plot of one is overdevelopment. There are lots of developments happening in Shoreham and we do not think the impact of this development and loss of this green space benefits residents or the Close.
iv. The garden to be lost is a beautiful green addition to the Close. A mature tree will be felled, the form is incorrectly filled in in this regard.
v. We have experience lots of noise and disturbance with the building of the tidal walls. We do not want more noise and disturbance with this build. Construction traffic, skips etc. will block access to the Close and neighbours homes.
vi. Parking is not shown on the plans for either the new house or the existing one. We already experience double parking, blocked driveways and people parking on the green where our children play.
vii. Side windows will overlook No. 22 and its private garden space.
viii. No front facing windows are proposed. This is out of character with all the other houses in the Close.
ix. The proposed 1.8 m high perimeter wall would be imposing and out of character and unsympathetic in the Close.
x. Loss of trees.
xi. The house is not DDA compliant, as boasted, as there are several steps to the front door.
xii. Planning permission has twice been refused for a new dwelling in the Close, on land opposite, ADC/0259/06 and ADC/0427/08 refer. The same issues apply issue, loss of general amenity, overdevelopment and flood risk.
xiii. Disappointingly few neighbours were consulted on this proposal.
xiv. Flood Risk. This is a low part of the beach. Overdevelopment in this close will further increase flood risk by diminishing soakaway areas.
xv. The 1.8 m high fence will impeded sight lines when entering or exiting the Close. This corner is open, and the opposite one, deliberately to allow vision in this narrow road.
xvi. Overlooking of houses opposite and behind and loss of light.
xvii. Other corner developments in the area tend to be single storey and leave an open aspect. This development will close the corner making the Close visually smaller.
xviii. Obstruction of sea view.
xix. This development will only benefit the Brighton property developer who recently bought this side garden. We should not be cramming houses into every available corner.

xx. The rear passage is being enclosed and rear access to No 2 is being lost.
xxi. Adur space standards requires a minimum floor area of 77 sqm for a 2 bed house. This proposal falls well short.
xxii. 1 garage for 3 houses is inadequate and will lead to further on street, dangerous parking.
xxiii. The compensatory front and rear dormers for No. 2 need planning permission and have not been applied for.
xxiv. This development would overdevelop and overcrowd the Close harmful to the character of the road.

Shoreham Beach Residents Association:

'The Planning Committee is well aware of the Residents' Associations concerns regarding the overdevelopment of relatively small plots, thanks to a trend for building additional properties on side gardens.

This has created a worrying precedent which results in cramped and overbearing development, close to existing residents' boundaries.

The chief objection relates to parking as the Close already experiences problems, particularly in the warmer months when people park in the Close to avoid paying parking fees in the car parks.

There is inadequate on-site parking and this will have a knock on effect on the congestion. Residents have also flagged up road safety fears.'

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Adur Local Plan 2017 Policies 1, 2, 15, 20, 28, 30, 35, 36 including 'Development Management Standard No. 1 Space Around New Dwellings and Flats.

Planning Assessment

Principle

The proposal constitutes infilling within the built up area of Lancing and can be supported in principle under policy 2 of the Local Plan subject to compliance with other policies.

Government Planning Policy within the National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of a presumption in favour of sustainable development (paragraph 49).

The Council can currently demonstrate that it can meet its five year housing land supply target when measured against the Adur Local Plan.

Policy 15 looks for new development to be of a high architectural quality and to respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping. Development should not have an unneighbourly effect on the residential amenity of existing dwellings and should provide an adequate standard of amenity for future residents. Drainage, access and parking arrangements must be acceptable.

Visual amenity

The proposed new house reflects the scale, proportions and design of No. 2. As such, and strictly in design terms, it would not be out of character in the streetscene. The site itself is side garden belonging to No. 2. It appears to be used as outdoor amenity space and also to provide space for storage for No. 2. Visually however, it provides relief in the streetscene and reflects, though not identically, the open corner on the opposite side of the junction. To build as proposed would bring development to within 3.5 metres of this side boundary. It would build up this corner but would still leave a decent gap to the back edge of the footpath. The loss of a prominent tree and possibly the second one on site would be very regrettable as trees are rare on Shoreham Beach. However, the Tree Officer does not consider them to be significant enough to be considered for a TPO.

The proposal includes a 1.8 metre high wall to enclose the private side garden. It appears not to include the front garden area which is currently enclosed by a picket fence. The new wall would be along the line of the two garages and shed and so would not greatly alter the appearance of the streetscene. Retaining the open front garden corner and picket enclosure would also maintain an open element.

Neighbour amenity

The proposed house will have a similar relationship to houses in the Close to that already experienced. It is nearer the north (front) boundary than the existing house and the houses opposite, particularly No. 12, are closer to the pavement edge too. However, they are 15 metres apart and so it is not expected significant loss of light will occur or the new house would be overbearing. A new bedroom window in the rear of the existing house will not cause greater overlooking to No. 1 than occurs from the dormer window added at second floor level since built.

The bedrooms proposed in the new house are to be lit from the side. They will not directly face No. 22 or its enclosed garden and are 20 metres from it. They will face the open corner opposite.

Residential amenity for future occupiers/existing residents

The loss of the side garden leaves the existing 3 bed house with a garden of less than 30 square metres but this is comparable in scale to that at No. 3. This is below the minimum standard of 50 square metres expected but as the site is very close to the beach and Beach Green play area this shortfall is not considered to be significant. The proposed house would have a garden, including partially enclosed side garden, of 50 square metres.

The new house reflects the floorspace and layout of the original two storey house at No. 2. It has a floor area of 57 square metres. This is well below the minimum standard of 79 sqm for a 4p, 2 bed house, as identified in the Government's Technical Housing standards (70 sqm for a 3p, 2 bed house) but in its context is not unreasonable.

Accessibility and Parking

No. 3 has a front driveway which is used for parking purposes. This is typical of the Close, though some properties also have integral garages. There is insufficient space to provide off street parking for No. 2 in its front garden. The proposed house is shown to have a single rear garage in the south east corner of the rear garden, including passageway. This garage is shown up to the back edge of the pavement leaving no space to pull off the road and open a garage door. Neighbours advise that on street parking is a problem in the Close, particularly with visitors to the beach. The Close is narrow and on street parking has the capability of causing obstruction and disturbance for residents. A single garage of inadequate size and poorly positioned for two family sized houses will add to on street parking and exacerbate the problem.

Flood Risk

The Environment Agency objects to this application on the basis that the Flood Risk Assessment submitted is inadequate. They would also require the first floor of this development to be set at 5.39m AOD which does not appear to be possible without a building out of character with the Close being proposed. First floor is currently set at approximately 4.5m AOD.

Southern Water advises that there is a mains sewer running through the rear garden and that no development can be built within 3 metres of its centre line. If the position of the sewer is as indicated on Southern Water's plan then the development would be on top of it. There does not appear to be room to divert it.

The site is not known to be at risk from surface water flooding. The applicant proposes the use of soakaways to deal with surface water from the new house as there are no surface water drains in the area. New surface water drains cannot be within 5 metres of the foul sewer or within the same distance of any existing or proposed structures. The site does not appear large enough to accommodate surface water drainage. Southern Water will not allow surface water to drain into the foul sewer.

It has not been satisfactorily demonstrated that this development can be properly drained without harm to local infrastructure or that future occupiers will not be at risk from flooding.

Recommendation REFUSE for the following reasons:

1. The site is located within Flood Zone 3 and in the absence of a site specific Flood Risk Assessment the proposed development does not satisfactorily consider the flood risks to and from the development site and is therefore contrary to policy 36 of the Adur Local Plan and the technical requirements of the NPPF.

2. The application fails to demonstrate that surface water can be satisfactorily drained from the site thus increasing the likelihood of surface water flooding in the area. The proposal is therefore contrary to Adur Local Plan policies 35 and 36 and the technical requirements of the NPPF.
3. The proposal fails to provide adequate or sufficient car parking for the existing or proposed house which would lead to increased on street parking in River Close harmful to neighbour amenity. The proposal is therefore contrary to Adur Local Plan policies 15 and 28.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 23.5.18
Authorised and signed by:	Peter Barnett	Date: 24 May 2018