Development Management – Delegated Officer Report

Application Number: AWDM/1653/23 Recommendation: APPROVE

Site: 174 Brighton Road, Lancing, West Sussex

Proposal: Conversion and extension of existing 2 no. flats (174 and 174a) to form 1 no. 3 bed dwelling house and new 3 storey attached 2 bed dwelling including removal of pitched roof and construction of new second floor flat roofed extension; 3 storey side and rear extensions with rear balconies at first and second floor; formation of 2 no. off road parking spaces

Date of Site Visit: 16th January 2024

Neighbours Checked: Y

Proposal, Site and Surroundings

The application site is a two storey, hipped roof detached building currently divided into two flats at ground and first floor. There is a flat roof single storey extension to the rear and a single garage to the side, attached to the neighbouring garage. The site is on the south side of Brighton Road with Widewater to the rear and Brighton Road to the front. Ground levels drop to the rear of the site. The building matches the original design of a number of properties within the street, some of which have been altered and extended and redeveloped. Brighton Road is evolving into an eclectic mixture of contemporary development with larger scale buildings, striking design and use of materials. A nearby example is no. 170 Brighton Road which provides 2 semi detached three storey town houses with a contemporary style and finish. Three storey development has become commonplace within this locality.

Consent is sought to create 2 no. semi detached town houses. The existing pitched roof, front bays, garage and rear extensions are to be removed and an additional storey is to be added with flat roof and parapet. Three storey side and rear extensions are to be built. Increasing the width and depth of the footprint to create a substantial, flat roof three storey building. The building will be redeveloped with partial demolition only and remodelling. The dwellings will provide car parking and amenity space to the rear with cycle storage provision.

The submitted Design and Access Statement states that the proposed development will include air source heat pumps, car charging points and photovoltaic panels on the flat roof to the rear.

Consultations:

WSP Drainage Consultants: - Following a review of the submitted information we would recommend the approval of the application but wish to add the following informative. Where possible SuDS should be considered in order to achieve runoff betterment.

West Sussex County Council: The Highways Authority: -

This application is for the conversion of existing two flats to form a single dwelling, and erection of a new attached dwelling. The site is located on Brighton Road, an A-classified road subject to a speed restriction of 30 mph. Following an inspection of the submitted application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

Access and Visibility The site will utilise an existing dropped kerb on Brighton Road, and a new dropped kerb will also be required to facilitate access to the proposed carport. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing and proposed points of access onto Brighton Road. The proposed works will be subject to a licence obtained through the local Highway Area Office and constructed to a specification agreed with the local Highway Area Office.

Parking and Turning Two car parking spaces are proposed to serve the development. The WSCC Car Parking Demand Calculator indicates that a development of this size and location would require four car parking spaces. Therefore, any overspill parking would have to be accommodated on-street.

Whilst on-street parking is limited in the area, there are parking restrictions in place on Brighton Road that prohibit vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the shortfall in two parking spaces would give rise to a highway safety concern or parking capacity issue in this location, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. Regarding cycles, both dwellings will be provided with secure cycle storage to rear, in accordance with WSCC Parking Standards.

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.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

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. 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.

Informative
Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway licence process considers wider factors than are considered by the Highway Authority at planning stage. Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-veh icle-crossovers-for-driveways-licence/

Southern Water: - Standard informatives

The Environment Agency: - Original comments: -

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons
The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the Planning Practice Guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to provide an assessment of the impacts of climate change (2125) and subsequent comparison between finished ground floor levels and modelled flood levels.
Overcoming our objection

To overcome our objection, the Applicant should submit a revised FRA which addresses the points highlighted above.

Comments following revised FRA: -

We are satisfied that our previous objection can be removed, provided 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 – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: AEG3230_BN15_Adur_01 Flood Risk Assessment, prepared by Aegaea) and the following mitigation measures it details:

- Sleeping accommodation is to be located on the first floor or above.

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.

Adur and Worthing Councils:

Environmental Health: - Private Sector Housing: - No comment

Public Health: - The development site has been identified by DEFRA as an area affected by traffic noise. There is nothing provided with the application to protect the new residential dwellings from noise, particularly as there are bedrooms on the northern facade adjacent to the road.

ProPG: Planning and Noise (recommended by the Sussex Noise and Planning Guidance), describes an acoustic design process which seeks to deliver the best acoustic design for a particular site. A noise assessment will be required for the site and must follow the principles of this guidance to deliver the internal noise level guidelines set out in BS8233:2014. The noise assessment should also consider the maximum night time noise levels the property is exposed to and ensure the final acoustic design is sufficient to mitigate against these peaks. If windows need to be kept closed to achieve the good internal noise levels specified by BS8233, any acoustic mitigation scheme will need to include mechanical MVHR ventilation. The Southern facade fronts the coast and the developer should ensure these rooms are not at risk of overheating.

The application refers to Air Source Heat Pumps (ASHP's), but no further information on their location or noise emissions has been submitted.

Therefore in summary whilst I have no objections to the development in principle, without an appropriate acoustic assessment and suitable mitigation alongside

information on ASHP's I am unable to support the application in its current form.

If you are minded to grant permission, then I recommend the following are attached as conditions.

1. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external traffic noise has been submitted to and approved by the local planning authority All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the ProPG: Planning & Noise – New Residential Development, 2017 and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should be of good acoustic design, include full details of glazing and where necessary strategies to prevent overheating. The noise level of any MVHR ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

2. Prior to commencement an Air Source Heat Pump acoustic report shall be submitted to the Local Planning Authority for approval. This report shall show that the installation of every heat pump across the development site shall comply with the Chartered Institute of Environmental Health and Institute of Acoustic's guidance: 'Heat Pumps, Professional Advice note.' The report shall outline that the rating level from ASHPs, including the cumulative impact of multiple ASHPs if relevant, shall not exceed 35dB LAeq,15min at any noise sensitive façade of a neighbouring residential premises. If it is not practical to achieve this value for any of the heat pumps, and the local context supports a relaxation, then a report providing a full justification as to why such a relaxation in rating level is required, shall be submitted in writing to the Local Authority for approval.

3. Works of construction or demolition, including the use of plant and machinery, 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

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works. Reason: To safeguard the residential amenity of the area.

4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by

the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:
the anticipated number, frequency and types of vehicles used during construction,
the method of access and routing of vehicles during construction,
HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's),
the parking of vehicles by site operatives and visitors, the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development,the erection and maintenance of security hoarding, a commitment to no burning on site, the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), methods to control dust from the site, a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites, details of public and neighbour engagement both prior to and during construction works.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction.

Representations: - None received.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 18, 20, 28, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (December 2023)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the future occupiers of the residential properties,the effect on the character and appearance of the area and flood risk.

Visual amenity

The building will be larger in height, scale, mass and footprint than existing. It will also be higher than those either side of the site. However within the context of the changing character of Brighton Road and the recent redevelopment it is considered acceptable. The proposed development will not be higher than the building at no. 170 Brighton Road which is viewed within the context of the proposed building. A

street scene image has been submitted with the application to show this. Although similar in scale there are differences between the design and finish of the buildings giving rise to variation which adds interest here.

The building at no. 170 projects to the rear of the site beyond the main part of the adjacent buildings similarly this will be the case here, the scale of the building will project further to the rear. Therefore, it will be visible from the rear of neighbouring properties and within the context of views from widewater and the beach. This is not considered harmful in this setting.

The distance between the main part of the building and the property to the east will be decreased with the garage being demolished and the three storey side addition coming closer. However a 1 metre gap to the boundary will remain in line with Development Management Standards. This element of the building is lower than the main part and will appear subservient. The spacing between the buildings is also enhanced here as the neighbouring garage is adjacent to the boundary limiting a terracing effect here.

There are examples of the use of contemporary materials along Brighton Road with timber cladding, coloured render, brick, slate and metal black cladding. At ground floor light grey render is proposed and originally silver metal corrugated vertical sheets at first floor and second floor. The applicant's agent has provided details to show the finish of this material it appears shiny and dulls down as it weather and they refer to it being used on a scheme in Brighton with images provided. It was considered that this materials, although unique would be overly dominant in the street scene and very industrial in appearance. Revised plans and Design and Access Statement have been submitted to show the cladding still corrugated but in a dark grey finish.

It is considered that this unique material will provide interest and contrast in relation to the existing building and the street scene as a whole which showcases many unique materials giving individual attention to each development. This contributes positively to the existing and evolving built environment. Black window and door frames are also proposed. The building will have a striking appearance. Balconies and undercroft parking are common features here also.

Residential amenities of the Future Occupiers and Existing Residents

The applicant’s agent states in their Design and Access Statement that the proposed development will give rise to two dwellings therefore no net gain in units. However the existing provision for the two flats as divided gives poor outlook, living space and gives rise to potential flood risk. As enlarged the building will provide two townhouses over three floors. Both with 1 car parking space each and private amenity space to the rear. The internal floor area of the dwellings greatly exceeds

the minimum space standards, providing light and outlook with non habitable rooms at ground floor. There are balconies to both houses in addition to the rear amenity space which is 80 and 55 square metres. This is in line with space standards and relative to adjacent outdoor amenity space and that at no. 170.

The proposed development will be visible from properties opposite and either side of the site. However the main properties to be affected are on either side. No 172 is a matching building to the application site and is divided into two flats, it also has similar flat roof additions to the rear. The new development will extend to the rear further than existing and will be higher. It will remain the same distance from this neighbouring building. Due to spacing between the buildings it is not considered that the proposed development will give rise to a significant loss of light or overbearing impact, it represents a similar development and relationship as that at no. 170. In this case there are balcony screens and amended plans have been received which limit the openings on the side elevation. Some are replacement windows of existing openings. Others are shown as high level and obscurely glazed. However it is noted that as existing there are side windows facing the neighbouring building. On balance as amended there will be no increased level of overlooking to warrant a refusal in this case.

To the east the adjacent dwelling is set away from the new development due to the garage to the side. Despite it being brought closer with the side extension there is still a distance of 5.6 metres between the side of the new development and the neighbouring building. There are side windows at the existing building which has recently been altered and extended with a hip to gable roof extension and rear dormers. The eastern elevation of the proposed development has been amended to limit overlooking as with the west, high level windows and some obscurely glazed windows. This is considered satisfactory to protect the amenities of both the occupiers. The height and proximity of the extension is not considered to result in a loss of light or overbearing impact which would be harmful in this case.

Flood Risk

Following advice from the Environment Agency the Flood Risk Assessment was revised and can be supported with a condition to ensure that no sleeping is at ground floor. The plans show non habitable rooms at the ground floor. This is therefore acceptable in terms of flood risk.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials
4. Openings and windows
5. ASHP acoustic report
6. ASHP and PV panels appearance details.
7. Balcony screens
8. 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.
9. 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. Reason: To provide car-parking space for the use
10. CMP
11. Noise assessment
12. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: AEG3230_BN15_Adur_01 Flood Risk Assessment, prepared by Aegaea) and the following mitigation measures it details:

    Sleeping accommodation is to be located on the first floor or above.

    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.

    Reason: - To reduce the risk of flooding to the proposed development and future occupants.

13. Hours of work

Is recommendation contrary to letter(s) of representation N

1. Proactive with amendments
2. The applicant is advised that where possible SuDS should be considered in order to achieve runoff betterment.
3. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be

granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage. Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-veh icle-crossovers-for-driveways-licence/

4. Southern water connection
5. Southern Water sewer maybe on site.

Case Officer: Hannah Barker Date: 9th February 2024

Authorised by: Gary Peck Date: 9 February 2024