Development Management - Delegated Officer Report

Application Number: AWDM/0329/22 Recommendation – APPROVE

Site: 12 The Meadway, Shoreham-By-Sea, West Sussex

Proposal: Demolition of existing bungalow and outbuilding and construction of a 2 storey dwelling house with zinc roof, timber cladding, 2no. parking spaces to front.

Date of site visit: 5th April 2022

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is a detached modest bungalow with a front driveway and rear garden with dilapidated out buildings to the rear boundary. It is on the north side of The Meadway a street which has evolved to comprise a variety of property styles and design. There are larger scale developments adjacent and opposite and the use of materials is eclectic within the street scene.

Consent was originally sought for the demolition of the bungalow and the erection of a new two storey property. The proposals presented a building with an asymmetric roof form, higher on the eastern side with a front and rear balcony, with rear external staircase. The building was shown to be of contemporary form and appearance with the use of a grey zinc roof, vertical timber cladding and white brickwork. In principle the replacement dwelling could be supported in the light of the surrounding development and the context of the site. However officers were concerned that the overall maximum height of the roof exceeded that of the buildings either side and others within close proximity to the site. The maximum ridge height had been used to gain a room on the third floor. It was considered that the third floor should be removed and in turn the maximum building height reduced to be relative to those either side. The external staircase and rear balcony could also not be supported here. Due to the limited distance between this feature and the dwellings to the rear, (22 metres) the balcony was considered to be overbearing and detrimental to the occupiers of the neighbouring properties, the use of the external staircase and the balcony would be unneighbouring and would result in overlooking and loss of privacy to an unacceptable degree.

Amended plans have been received which show the maximum height of the building reduced from 8.4 metres to 7.9 metres. The rear external stair case has been removed along with the balcony and an enclosed spiral staircase has been provided which links the ground and first floor. Bedrooms are proposed at ground floor and an open plan living space at first floor which benefits from the front balcony. Two parking spaces are shown to the front with soft landscaping and garden to the rear.

Consultations

Southern Water: - Standard consultation response.

West Sussex County Council: The Highways Authority

Using the WSCC Car Parking Demand Calculator a 2 / 3 bed dwelling in this location would be anticipated to attract the demand for 2 car parking spaces. This has been accommodated in the proposed layout. This provision should be EV enabled, while this has been annotated within the proposed plans the specific details of this EV provision can be secured via a suitably worded planning condition.

A secure and covered cycle store should also be included in the interests of sustainability.

The extent of the existing vehicle crossover has not been demonstrated on the submitted plans. It seems that in order to facilitate two perpendicular parking spaces, side by side, the existing vehicle crossover will need to be widened by circa 1 metre. Any access works on the public footway must be implemented under licence to a specification obtained from WSCC Highways. The widest crossover that will be granted a licence in an area such as this is 6.4 metres, including the transitional kerbs. It would be recommended that these access arrangements are demonstrated, ideally prior to determination, if not secured via condition with the wording suggested below.

In conclusion the Local Highways Authority does not consider that the proposal would have and 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 Local Planning Authority is minded to grant planning consent based on the submitted plans and details the following conditions and informative note would be advised. If the access widening works are demonstrated prior to determination then the wording of the access condition will need amending.

Conditions

Access (details required, access provided prior to first occupation)

No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety

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.

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.

Informative Note

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. Additional information about the licence application process can be found at the following web page:

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243642105.

https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/

Adur and Worthing Councils: -

Environmental Health, Public Health: - Hours of work and Dust conditions.

Private Sector Housing: -No objections in principle to the development, but the study on the second floor is a habitable room that can only be accessed through the high risk open plan kitchen/living area and so it is an inner room.

This room should either be removed from the proposal or a safe means of access to the room should be incorporated, such as corridor joining the staircases.

Technical Services: - Flood risk- The application is within flood zone 1, and is not at risk from surface water flooding. The application is within future flood zone extents, and we would encourage the applicant to consider not providing

sleeping accommodation at ground floor level so that the development is safer throughout its lifetime.

Surface water drainage- the application form indicates that it is proposed to discharge surface water to soakaway. Site plans demonstrate the area available for a soakaway. There are no public surface water sewers in this area, therefore discharge of surface water must be via infiltration. We request that FURTHER INFORMATION IS PROVIDED PRIOR TO DETERMINATION, to demonstrate if a policy compliant drainage design is achievable in principle.

Please can the applicant provide results from on site winter groundwater monitoring and winter infiltration testing prior to determination.

If you are however minded to approve this application, prior to this information being submitted, please apply the following condition to secure surface water drainage design to ensure the development 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"

Representations

Representations received following the original submission: -

No. 31 Cheal Close, overlooking from rear balcony and rear windows.

No. 10 The Meadway, first floor balcony or windows should not invade privacy, no windows overlooking to west. Access to parking with single access. Height should be relative to other properties on the street, zinc is inappropriate material, is this a holiday let or domestic dwelling.

Representations received following the amended submission: -

No. 10 The Meadway, The design continues to be out of keeping it dominates and is the highest on the road. The parking space removes valuable street parking. 'Oak processionary poisonous moth caterpillar' is in the garden.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 18, 20, 28, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The proposal comprises replacing the existing dwelling located within the built up area with two semi detached properties. This can be supported in principle. The relevant issues here are the effects on the amenities of neighbouring residential occupiers, design and the effect on the character and appearance of the area, as well as highway matters and flood risk.

Visual amenity and Street Scene

It is acknowledged that the street and the context of the site comprises an eclectic mix of property style, use of materials and design. The design and individual style of the development with its use of materials is not considered unacceptable and does enhance the existing character due to the additional variation and detailed design approach. There are no grounds for refusal based solely on the design grounds as the street comprises so much variation. The key consideration here is how the development fits in scale, height and mass in relation to adjacent dwellings and surrounding, existing development.

As amended the height of the building has been reduced by 0.5 metres, removing the third floor study and resulting in a two storey development with asymmetric roof form. The increased roof height on the eastern side adds to the variation and interest of design and the maximum height is relative to other building heights adjacent, particularly No.16 to the east. The scale of development is considered to be appropriate in this case also with the buildings either side larger in scale and bulk. The building is proportionate to the size of the plot and the footprint although larger than existing does not give rise to any form of overdevelopment. The block plan shows the main part of the building to be inline with the front elevation of the existing bungalow and those adjacent, with the porch canopy only jutting forward. This is considered acceptable with the main bulk of the building frontage following the general building line.

The removal of the rear external staircase and balcony also contributes to a reduction in bulk and scale of the building. The design as amended is more in keeping in character with the adjacent street scene where rear balconies are not commonplace and this could give rise to a harmful precedent both in terms of amenity and character, bulk and scale.

Residential Amenity - Proposed Dwelling

The space standard requirements for the internal space at the new dwelling is met. Development Management Standard No. 1 states that 85 metres square of amenity space should be provided. The drawings show 96 square metres therefore this is exceeded. The proposed building provides improved outlook, light, internal and external living space and parking to that which currently exists.

Residential Amenity - effect on existing dwellings

The main properties to be affected by the proposed development are those either side of the site and to the rear. An objection has been made to the original proposal with no further objections made to the amended scheme.

The proposed development represents an increase in scale, bulk, footprint and height from that which currently exists. However as designed the building is appropriate in this case and development such as this is commonplace in this locality. For a refusal to be made the scale of the development must be such to cause harm. In terms of residential amenity, as amended the removal of the rear balcony will reduce any overlooking to the side and rear of the site which would have resulted in elevated noise and activity detrimental to the adjacent neighbouring occupiers. Rear windows exist at first and ground floor and there is a minimum of 22 metres between the proposed first floor windows and those to the rear. This is the minimum required under Development Management Std. No. 1 to ensure that overlooking does not occur to an unacceptable degree.

There are windows proposed on either side of the building at ground and first floor. There are some side windows in the existing building. Amended plans show windows on the side elevations partially obscure glazed with top opening clearly glazed sections. On the eastern elevation the narrow hall/landing window is clearly glazed. The windows as detailed on the plans are not considered to result in any overlooking. A condition is attached to

ensure that no additional windows are inserted and that the windows are installed as shown on the approved plans.

The balcony to the front of the building will overlook the front and west side of the building. The east side is screened by the proposed building design. To the side and opposite is public space where there is no existing privacy so there is no concern with regards to residential amenity in this case. The adjacent balcony to the west is recessed within the eaves therefore no mutual overlooking will occur between the balconies.

Accessibility and Parking

As set out above there are no objections from the Highway Authority subject to the conditions and informatives recommended. Two parking spaces are sufficient and space on site can accommodate cycle parking and EV charging is to be provided.

Flood Risk and Drainage

The application site is within flood zone 1, and is not at risk from surface water flooding. The application is within future flood zone extents. Technical services have stated that they would encourage the applicant to consider not providing sleeping accommodation at ground floor level so that the development is safer throughout its lifetime. The applicant's agent has noted this comment and although it would be encouraged it is not a requirement and this would require a fundamental redesign.

The applicant's agent has agreed to the condition as set out by Technical Services.

Planning and Climate Change

Climate change is undoubtedly the defining issue of our time. Adur & Worthing Councils' declared a Climate Emergency in July 2019 and have committed to work towards becoming carbon neutral by 2030. The Councils have also signed the UK100 Cities Pledge to achieve 100% clean energy by 2050. In November 2018, the Councils' adopted an ambitious programme of action on sustainability under SustainableAW.

A Planning and Climate Change Checklist has been prepared for Adur Council. The Adur checklist sets out the policy requirements in relation to climate change in one place to clearly indicate for which developments and in which locations they apply. It is therefore recommended that developers refer to this when preparing applications. The checklist also highlights and encourages developments to meet additional elements. The impact of setting any future requirements, including on viability, will be assessed as part of the Adur Local Plan Review.

The applicant's agent has provided a section in their Design and Access Statement entitled 'Sustainability.' Details are given as to how the development meets with the requirements of the checklist by providing a sustainable building. An air source heat pump will be used, Mechanical Ventilation Heat Recovery (MVHR), super insulating the buildings envelope, photovoltaic panels to gather

solar energy, a battery within the utility room to store electrical energy and underfloor heating upon both floors.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials as set out in the Design and Access Statement and the approved plans.
4. Cycle parking
5. Access
6. Car parking
7. EV charging spaces
8. 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 in accordance with Policy 19 of the Adur Local Plan

9. No additional openings.
10. Remove PD
11. The dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day.The dwelling shall not be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority
12. The sustainability and energy efficiency measures referred to in the Design and Access Statement shall be installed before the dwelling hereby approved is occupied.
13. 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.

14. Construction work shall not commence until a scheme for the protection of the existing neighbouring premises 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.

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

1. Proactive with amendments.
2. Pulverised Ash
3. vehicular crossover
4. Demolition notice
5. SW standard informative Maybe sewer
6. SW standard informative sewer connection
7. SUDS
8. 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

Case Officer: Hannah Barker Date: 17th May 2022

Authorised by: Peter Barnett Date: 17 May 2022