Development Control – Delegated Officer Report

Application Number: AWDM/0530/19 Recommendation – APPROVE

Site: 10 Ormonde Way, Shoreham-by-Sea, BN43 5YB

Proposal: Application to vary Condition 1 and 6 of previously approved AWDM/1947/17 to omit the white pre-cast banding from front and rear elevations and to remove Condition 4 to allow the option to utilise the ground floor area as habitable space.

Date of site visit: N/A

Neighbours checked: Y

Additional neighbour notifications: N

Site, Surroundings and Proposal:

The property in question is under construction, and will be an end of terrace 4 storey dwelling of a very similar design as its neighbours within the terrace.

The application seeks permission to vary or remove conditions 1, 4 and 6 of the application AWDM/1947/17. The conditions read:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.
   PROPOSED HOUSE Revision C Received 31.01.2018
   FLOOD RISK ASSESSMENT Received 27.12.2017

4. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment and the following mitigation measures contained within it:-
   - No part of the ground floor of the building shall at any time be used as a habitable accommodation

   The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the LPA

6. Notwithstanding the annotation on the approved plan, the external materials and finishes of the development hereby permitted shall be carried out to match in design, colour and texture those of the existing terrace. No development shall be carried out unless and until a schedule and samples of the materials and finishes to be used for the external walls and roof of the proposed new dwelling and the external alterations to be carried out to the existing dwelling have been submitted to and approved in writing by the LPA. Thereafter, the development shall only be completed in accordance with the approve schedule and samples.

Relevant History:

AWDM/1947/17 Erection of new end of terrace dwelling attached to the south side elevation and in a similar style to no. 10 Ormonde Way
Approved 21.02.2018

Consultations:

Environment Agency: *'We object to the removal of Condition 4 The condition that was set in our previous response (AWDM/1947/17) ensures no habitable accommodation is to be provided on the ground floor, which came from the FRA submitted with that application.*

The site plans that have been provided with this application show that no bedrooms are proposed to be located on the ground or first floor which we are happy with. We have no objection to the proposed development and note the flood mitigation measures outlined in the FRA Note. We suggest the applicant seek to vary the condition, we would be open to a change to ensure no 'Sleeping Accommodation' is placed on the ground floor.'

Councils Engineer: *'I would be happy for the condition to be varied such that no bedrooms are on the ground floor'.*

Representations: None received

Relevant Planning Policies

Adur Local Plan: Policy 15
National Planning Policy Framework (2019)
National Planning Practice Guidance

Planning Assessment

There is no objection in principle to the variation of the conditions. The effect of their variation on the neighbouring residential properties will be assessed with regard to visual and residential amenity

Conditions assessment:

Condition no. 1 relates to the approved plans, and these plans will need to be updated with any revised permission.

Condition no. 4 relates to the FRA and the fact that the site lies within a flood zone is the reason why this condition was put on the original planning permission. Environment Agency has responded that they have no objections to the ground floor being used for residential purposes, but to exclude sleeping purposes from that use.

It is understood that other properties within the terrace, already use the ground floor within a residential format, and by varying the condition, the new dwelling will accord with its neighbours.

The condition no. 4 thereby can be varied and not removed. The variation will ensure no sleeping accommodation is allowed on the ground floor.

Condition no. 6 relates to the use of materials and the requirement that they match the existing property. An important factor of this matching also included the white banding, which is also a feature of the whole of the terrace.

However, when construction began for the new end of terrace dwelling, the existing banding from the host dwelling was found to be a concrete lintel with a metal bar through it. This lintel was seen to be failing, with it being fractured and its position has partially slipped because of this. Further, the metal within the lintel has been shown to have rusted.

It was thereby important to replace this banding with something strong enough to support the upper floors. The new dwelling opposite the application site, no. 7, has used the yellow facing bricks as a soldier course at this point, and thereby the applicants have put forward this method. Indeed, this method has also been used under the existing windows on the existing dwelling. By using this method, it is considered that the character of the street scene will be maintained.

It should be noted that with regard to the conditions attached to the original permission for the new dwelling (AWDM/1947/17), an application for the approval of details reserved by conditions no.'s 3 (noise), 4 (flood risk assessment), 5 (obscured windows), 6 (schedule of materials), 8 (details of boundary wall/fences), 9 (surface water drainage) & 11 (construction method statement) has been submitted and approved.

However, some of these conditions will still be pertinent, as there are works required within the conditions that need to be totally completed, others will need to be amended i.e. 1, 4 and 6 as per this application.

Recommendation

APPROVE – subject to the reapplying of the original conditions together with the variation of the above conditions:

1. Approved plans
2. Partially superseded plans
3. Noise
4. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment and the following mitigation measures contained within it:-

    - No part of the ground floor of the building shall at any time be used as sleeping accommodation

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the Local Planning Authority.

5. Obscure glazed windows in south elevation
6. Materials as per approval
7. Windows
8. Boundary treatment
9. Surface water
10. No extensions
11. Construction method statement
12. Hours of work

Informative

1. Approved without amendments
2. Public sewer
3. Application for connection to public sewerage system
4. PFA
5. Street naming or numbering etc
6. Precautionary land contamination

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

Case Officer: Eve Hearsey Date: 17.06.2019

Authorised by: Peter Barnett Date: 17 June 2019