Development Management - Delegated Officer Report

Application Number: AWDM/0442/20 Recommendation – Approve

Site: Land Between 41 And 45 Old Fort, Shoreham-By-Sea

Proposal: Erection of detached two-storey flat roofed three bedroom house with 2no. car parking spaces at the front((Amendment to planning permission AWDM/1263/18). Amendments include 'squaring off' rear elevation, increased projection of front elevation and subsequent reduction in depth of front balcony, relocation of entrance door to west side, removal of rear parking spaces, removal of side projections, construction of extension to side of existing garage to form hobby room.

Date of site visit: Seen previously

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site lies on the north side of Old Fort Road and previously contained a detached chalet bungalow which has been demolished and the site cleared. There is a detached bungalow with rooms in the roof on the west side of the site and a chalet style dwelling with a steeper roof to the east. There are bungalows and chalet bungalows to the rear (north) in the Meadway.

Planning permission was granted in 2018 for the construction of 1no. two storey dwelling (AWDM/1263/18). It would have a box like form with a flat roof which would slope down very slightly from south to north. It would have rendered walls on the ground floor with untreated cedar cladding at first floor. The roof would have a sedum covering and contain solar thermal panels and a water storage and MVHR (Mechanical Ventilation Heat Recovery) unit.

The dwelling would have four bedrooms and a front balcony at first floor. The building would have small projections on both sides at first floor, both rendered. At the rear there would be an angled projection.

The new building would measure 6.5m high at the front and 5.8m high at the rear. It would be 10.1m long and 9.5m wide. At the front the ground floor projected forward of the upper floor by 1.8m to enable the balcony to be formed above.

The existing crossover was retained and parking provided with a hardstanding at the front for 1 car and at the rear for 1 car. The existing garage at the rear was to be retained and include bicycle storage.

The existing front boundary wall, fence and planting were to be removed and replaced with a raised bed (450mm high) with hedge.

This application seeks permission for a revised scheme, but based on the form of the extant permission.

The main amendments are:

- The house is reduced to three bedrooms
- The angled wall at the rear has been removed and the building 'squared off', maintaining the approved maximum building length
- A plant and utility room is included within the building on the ground floor, removing the MVHR unit from the roof
- The building extends further at the front at first floor, reducing the depth of the balcony, by 0.6m
- The entrance door is relocated into a recess on the west side
- Parking at the rear has been removed and replaced with 2 spaces at the front, widening the existing crossover slightly
- The sedum roof is to be replaced with a synthetic rubber covering
- Previously proposed side projections have been removed
- Changes to windows and doors at the rear
- Construction of an extension to the garage at the rear to form a hobby room. It will be cedar clad and measure 2.5m high, 6m deep and 3.5m wide plus a narrow overhang on the east side

Relevant Planning History

ADC/0356/10 - Demolition of chalet bungalow and erection of semi-detached pair of part two/part three-storey three-bedroom houses (with green roof terraces and front balconies) - withdrawn

AWDM/0827/11 - Demolition of chalet bungalow and erection of 2 semi-detached two-storey flat-roofed three-bedroom houses with parking at front - approved

AWDM/0471/12 - Application for minor material amendments to planning permission reference AWDM/0827/11 including installation of solar panels on flat roof and changes to balcony, windows and doors - approved

AWDM/0251/18 - Erection of pair of semi-detached houses with one additional vehicular access and associated car parking and landscaping - withdrawn

AWDM/1263/18 – Erection of detached two-storey flat roofed four bedroom house with 1no. car parking space at the front and 1no. car parking space at rear - approved

Consultations

West Sussex County Council: The **Highway** Officer has no objection. After review of the submitted plans the proposed includes a 6 x 5m parking area to the front of the proposed dwelling. The existing shared dropped crossing will

need to be extended to facilitate access to this parking area. There highway works must be implemented under licence to a specification obtained from WSCC Highways. The applicant should be aware that typically the maximum crossover width permitted will be 6.4 metres.

It seems that an additional hardstanding car parking space can be accommodated on hardstanding to the rear of the dwelling. It should be noted that the existing garage to the rear is not considered large enough to be considered an allocated car parking space. According to the August 2109 WSCC Parking Guidance a dwelling of this size, with allocated parking, in this location will likely generate a small amount of on street parking demand for visitor parking. This would not be considered a highway safety issue; the LPA may wish to consider the amenity implications.

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 new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. Due to the small-scale nature of this proposal, the anticipated provision of active EV spaces for this development would be 1 space and should be provided in accordance with the above WSCC guidance and Adur Local Plan policy.

The LHA 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 109), and that there are no transport grounds to resist the proposal.

Adur and Worthing Councils: The **Environmental Health** Officer recommends conditions to control working hours and the submission of a construction management plan plus the precautionary contaminated land and PFA informatives

The **Private Sector Housing** Team has identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

The **Engineer** has made the following comments: Flood risk- The application is within flood zone 3, the site is also shown to be at risk of surface water flooding. No sleeping accommodation is proposed on the ground floor so we have no objection to the application of flood risk grounds.

Surface water drainage- the application form indicates that surface water is proposed to be disposed via soakaway. No details have been submitted regarding these proposals. There are no surface water sewers in vicinity of the site. I therefore request that if this application is approved a condition is applied to ensure that flood risk is not increased elsewhere and that water is not discharged to the foul sewer

Southern Water: Requests informatives

Environment Agency: Considering the location of the proposed development and that the first floor can still be used as safe refuge (even considering the new climate change allowances), we agree that the proposed mitigation measures are still valid. Therefore, we can accept the old FRA from the previous planning application in 2018 (ref: AWDM/1263/18) and can remove our previous objection to the proposal (dated 17 March 2020, our ref: HA/2020/122122/01), 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
The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 3549, December 2017, Ambiental) and the following mitigation measures it details:

 Finished floor levels shall be set no lower than 300 millimetres above ground level.
 There shall be no sleeping accommodation located on the ground floor.
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.

Representations

Letter received from the occupiers of 37 The Meadway:

The existing garage roof drains onto our land (there is no guttering) and adds to flooding potential. Please will the owners ensure that drainage at the back of the garage will exit onto their land. We are happy for the new owners to have access to the back of our land in order to erect the appropriate guttering. They are welcome to contact us directly.

Objection received from the occupier of 39 The Meadway:

- Proposal breaches Council's guidelines for 22m separation between buildings
- Hobby room extension to garage is larger than original garage

- No details submitted about roof elevation or window sizes/position on garage extension

[NB elevations have subsequently been submitted]

Shoreham Beach Residents Association: We have no overriding objection but note that the obscure glazing on the balcony that has been planned on the eastern side should also be on the west, for reasons of overlooking and privacy.

Relevant Planning Policies

Adur Local Plan 2017 policies 2, 3, 15, 18, 20, 22, 28, 34, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
National Planning Policy Framework (February 2019)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the street.

Visual amenity

The plot to the site boundary is 12.3m wide and 36m deep. The overall height, width and depth of the building remains as previously approved.

It will continue to have a square cube-shape with a very shallow mono pitch roof. The new dwelling will sit between properties with two differing roof styles; to the east there are steeply pitched roofs and, to the west, a shallower pitched roof. Further west, No.39 has a very contemporary form while No.37 has a similar box form to that currently proposed. In view of the variety of styles in the road as a whole, which includes some contemporary flat-roofed houses, it is not considered that this particular proposal will appear out of keeping.

Approximately 1m will be retained to the eastern boundary and there will be an overall separation of between 2.1m and 2.4m to the side of No.45 and 3.2m to No. 41 (the width of the shared driveway) which will help to provide a sense of space. To the east, No.45 is much closer to the boundary and there will be a closing of the space as a result of replacing the former hip roofed bungalow with the two-storey 'cube' form of the new dwelling. Nevertheless, it is not considered that the development will appear overly cramped in the street scene due to the modest height of the proposed dwelling.

Residential amenity – effect on existing dwellings

The dwelling will be two storeys and 6.5m in height as previously approved. It will reduce to 5.8m in height at the rear. The centrally positioned plant for mechanical ventilation and heat recovery on the roof has been removed which improves visual and residential amenities. The proposed solar panels will sit at an angle on the flat roof but will not cause undue harm to visual or residential amenities.

To the east, No.45 has a dormer and roof window in the roofslope which faces the site. These areas will lose some light as a result of the built form being brought closer to the boundary at first-floor level but the rooflight is a secondary window to the first-floor lounge which is also served by patio doors at the front, while the dormer serves a WC only. At the front the depth of the dwelling is increasing at first floor to improve the size of the bedrooms. The front balcony will be reducing in depth as a result. The increased depth will bring the house approximately 1.7m in front of No.45 (almost 3m with the balcony). However, that property has a projecting garage on the ground floor adjacent to the site boundary with a terrace on the roof and a centrally positioned pair of glazed doors at first floor. While there will be some increased loss of light to parts of the balcony in late afternoon, it is not considered that the impact on light and outlook at No.45 will be so severely diminished as to warrant refusal. No habitable rooms are considered to be adversely affected.

To the west, No. 41 is similar to the bungalow originally at No.43 but it has a conservatory across the front and at the rear, and two rooflights on the east roofslope facing the site. There are also three windows on the ground floor on the east side, one of which is obscure glazed. There will be some loss of light to these windows as a result of the increased height of the built form to the east (compared with the original bungalow on the site). It will not project as far to the rear as No.41. Overall, the retention of a 3.2m separation between the buildings and the relatively low height of the proposed building will ensure that any light loss will not be sufficiently serious to justify a refusal on this ground, particularly when taking into account the already approved scheme and other recent approvals for new two storey dwellings adjacent to bungalows elsewhere in the street.

At the rear, No.39 The Meadway is a bungalow, the nearest part of which (a rear conservatory in the south west corner) is approximately 5.4m from the boundary and 20.8m from the rear wall of that part of the proposed dwelling which is directly in line with the conservatory on the east side of the building. This part of the proposed building has been brought further out than the previous scheme in order to square off the building, and it therefore comes closer to the conservatory and is less than the 22m rear-to-rear separation distance specified in DM Standard No.1.

However, the amount of glazing in the rear elevation has been reduced and two of the first floor windows are obscure glazed as they do not serve habitable rooms. Views towards the conservatory at 39 The Meadway will also be obscured by the proposed garage extension. The third window at the rear is a bedroom window which is not directly in line with the conservatory and is marginally under 22m from the conservatory (approximately 21.76m). It

is also 24.67m from the main rear wall of 39 The Meadway. Taking all of the above into consideration, it is not considered that the proposal will result in a harmful loss of light or privacy for the occupiers of 39 the Meadway.

The proposed garage room extension is only 2.5m high and would normally qualify as permitted development. However, PD rights were removed under the previous permission. The extension will be 1.85m from the boundary with 39 The Meadway and will be partly screened by existing trees on the boundary and the boundary fence. No windows are proposed in the north elevation. Consequently, it is not considered that it will cause harm to the amenities of the occupiers of No.39.

Residential amenity – proposed dwelling

The house will have a floor area of around comfortably 150sqm which exceeds the National Standards for a 3 bed dwelling. Each bedroom meets the minimum size requirement.

Externally, the rear garden area of around 120sqm comfortably exceeds the Council's Standard.

In view of the separation distances between the proposed dwelling and 39 The Meadway, it is considered to be reasonable and necessary to remove permitted development rights for future rear extensions. Similarly, If Class E rights were fully available then further large outbuildings could be permissibly erected within the rear garden which, if carried out, could amount to an undue loss of residential amenity space and an overdevelopment of the site. It is therefore proposed to restrict outbuildings to no more than 10 cubic metres without the need for consent.

Accessibility and parking

The existing garage serving the former bungalow at No.43 is to be retained for secure bicycle storage. Two car parking spaces are to be provided on hardstanding at the front with the dropped kerb widened.

WSCC has no objection to this arrangement on highway safety grounds and the amount of parking is expected to be sufficient to meet the demand of the new dwelling. Any overspill parking onto Old Fort Road is not expected to result in amenity issues.

Flood Risk

The building is to have a raised ground floor level of 300mm with all bedroom accommodation at first floor, in order to reduce the risk to future occupants in the event of a flood.

The Environment Agency has no objection to the proposal on this basis.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
4. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. One space shall be provided with an active charging point for electric vehicles. These spaces shall thereafter be retained at all times for their designated purpose.
5. 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 submitted to and approved by the Local Planning Authority.
6. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (December 2017) and the following mitigation measures detailed within the FRA:

   Finished floor levels are set no lower than 300 millimetres above ground level.

   No sleeping accommodation on ground floor.

   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
7. Boundary walls/fences
8. CMP
9. Hours of working
10. Landscaping
11. Materials
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any Order revoking and re-enacting that Order with or without modification) no development under Classes A or B, nor any outbuildings under Class E of more than 10 cubic metres, shall be erected or carried out unless approved by way of a planning permission granted.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any Order revoking and re-enacting that Order with or without modification) no windows or other openings (other than those

permitted by way of planning permission AWDM/1263/18) shall be formed in the east or west walls of the dwelling.

14. Obscure glazed side windows and rear windows serving hallway and bathroom and to be non opening below 1.7m
15. Balcony screens
16. Drainage
17. Water consumption
18. Ancillary use of garage extension

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

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. Southern Water

3. Vehicle Crossover – Minor Highway Works

4. Precautionary contaminated land
5. PFA
6. Drainage
7. Private sector housing

Case Officer: Peter Barnett Date: 7 May 2020

Authorised by: Gary Peck Date: 7 May 2020