Expiry Date – 8/6

Development Control – Delegated Officer Report

Application Number: AWDM/0523/18 Recommendation – Refuse

Site: 29 Kings Crescent, Shoreham

Proposal: 1 no. three bedroom three storey dwelling with second floor balconies to side and rear attached to south west (side) elevation of existing dwelling.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 4/5

Site and Surroundings

This application relates to a 1960's two storey end of terrace house on the south side of Kings Crescent. There are ten identical houses in this terrace and the terrace has two staggers in its front building line which includes a raised ridge height in each case as the road climbs towards the west.

The property has a side and rear garden with access to a rear garage compound. The garden tapers at an angle and is narrowest at its rear boundary. The rear garden is at a considerably lower level than the road with steps down from the rear to the garden. No. 31 is at right angles to the site on higher ground with a double garage adjoining the sites own frontage parking area. No. 31 is two storeys from the front but includes a lower ground floor at the rear. Properties 33-37 (odd) are three storeys. Opposite the site are two storey detached houses and there are five storey flats further to the west.

The site is not in a conservation area and is not listed. There are no protected trees on the site. It is in Flood Zone 3 and a Flood Risk Assessment has been submitted with this application.

Proposal

Planning permission is sought to add an extra unit to the end of this terrace. The proposed dwelling would build on the side garden and would use the existing frontage parking area for the new house. The existing house would have no frontage parking but would still have a garage at the rear.

The proposed house is three storeys with south and east facing second floor roof terraces. It includes a front gable detail, clad in timber or a composite, together with second floor cladding and cladding detail to the rear. Otherwise the property is to be constructed in brick.

The ground floor entrance level is shown to have an integral garage, separate utility area and garden room/study with en-suite wet room. At first floor three bedrooms, one en-suite and a separate bathroom are shown. At second floor is the combined living room and dining room with southern balcony and a kitchen with west balcony.

Relevant Planning History

None.

Consultations

Environment Agency:

'Thank you for consulting the Environment Agency on the above planning application. We have reviewed the submitted plans and documents relevant to our remit, and have the following comments to make.

Environment Agency Position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment (August 2017) submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (August 2017) and the following mitigation measures detailed within the FRA:

- *Finished floor levels for first floors are set no lower than **5.39** metres above Ordnance Datum (AOD).*

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.

Reason

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

Advice to Applicant/Local Planning Authority

We recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan.

Please note that it is not our role to assess any details on flood evacuation or emergency plans, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings

to occupants/ users covered by our flood warning network.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs to formally consider the emergency planning and rescue implications of new development in making their decisions.
The PPG states that LPAs should consult their emergency planning staff to ensure evacuation plans are suitable through appropriate planning conditions (PPG Ref ID: 7-057-20140306).

We therefore recommend seeking comments from your Local Authority emergency planners.

We recommend that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: http://www.communities.gov.uk/publications/planningandbuilding/improvingflood'

Highways:

'I refer to your consultation in respect of the above planning application and would provide the following comments.

This application seeks the erection of a 1 x 3 bed three storey dwelling at 29, Kings Crescent, Shoreham-By-Sea.

Access
Access will be achieved via an existing dropped crossing onto Kings Crescent, which is an unclassified residential road subject to a 30 mph speed limit. This dropped crossing previously served 29 Kings Crescent and will only serve the proposed dwelling. To this regard there will be no net change in its vehicular use.

Parking
The proposed dwelling will be provided a garage and hardstanding parking provision providing a total of two off street spaces. This parking provision is considered adequate to meet the needs of a dwelling of this size in this location. The proposed garage is large enough to also provide a suitable cycle parking provision.

The proposed will result in the loss of an off street car parking provision for 29 Kings Crescent. It does appear that 29 Kings Crescent has alternative car parking opportunities to the rear of the site. Nevertheless a small quantity of displaced car parking on street would not be considered a substantive reason for a highways objection.

Conclusion
The Local Highways Authority does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the

National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

If the Local Planning Authority is minded to grant planning consent the following conditions would be advised:

Car parking space
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

Garages
The garage building shall be used only as private domestic garages for the parking of vehicles and cycles incidental to the use of the properties as dwelling and for no other purpose.
Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety and to provide alternative travel options to the use of the car in accordance with current sustainable transport policies.'

Environmental Health: *Precautionary contamination condition and Pulverised Fuel Ash Informative required.*

Representations

Six objections received summarized as follows:

1. Loss of open green view north. Cramped and overbearing development.
2. Three storey development is out of character with the terrace.
3. Overlooking from balconies of neighbours gardens and rear rooms.
4. Overbearing for No. 31, loss of light and loss of privacy.
5. Extra height would cause loss of view towards the Downs.
6. Rear access for other houses sharing the garage compound must not be blocked at any time.
7. The design is completely out of keeping with the other houses in the terrace. It would be harmful to the appearance of the terrace and the wider area.
8. The proposed front gable would introduce an alien feature at odds with the coherent terrace in terms of scale, design and materials.
9. The pattern of windows fails to follow the terrace and this is particular harmful at the front, street side.
10. Very poor design contrary to policy 15 of the Adur Local Plan.
11. The sites position on a prominent corner would exacerbate the visual harm caused.
12. The rear garden proposed is an awkward shape and only 66sqm in size, too small for a family home. Its awkward shape will further reduce its usability.

Relevant Planning Policies and Guidance

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

Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

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

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

Character/Streetscene

Para 56 of the NPPF states:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Para 58 looks for new development to:

respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

and para 64 states:

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy 15 of the newly adopted Adur Local Plan

Development should be of a high architectural quality and 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:

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;*

When considering applications for extensions or alterations to dwellings, proposals will be expected to comply with the criteria contained in the Council's adopted Development Management Standard No.2 "Extensions and Alterations to Dwellings" (as amended or

superseded by other Council guidance in force at the time an application is considered) or any other appropriate national standard.

Whilst this proposal does not relate to an extension to an existing house, but the addition of a new one, advice contained in Development Management Standard No.2 "Extensions and Alterations to Dwellings" is relevant. It includes the following advice:

The appearance

2.5 The most important basic principle is that any extension should be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally.

2.6 The following principles should also help to ensure that he criteria discussed able are met:

- *Extensions should generally respect the architectural period and style of the existing dwelling and the area.*
- *External construction materials should usually match in colour and texture the materials of the existing dwelling.*
- *Windows or other openings should be in scale with the extension and should be in line with and match the proportions and style of existing windows.*

The existing house is at the end of a terrace of 10 identical two storey houses of the same widths, heights and materials. The proposed dwelling is 3 storeys in height with the second floor entirely above that of the existing house. It is wider than the individual houses in the terrace. Its elevated position, as the road climbs to the west, would accentuate its greater scale. The mass of the new building would be harmful to the terrace and to the appearance of the wider area.

The proposed house is of a completely different design to the terrace. The prominent front gable detail and side and rear balconies do not reflect the design of the simple terrace. The floors do not line through and so the window heights and design fail to reflect the rhythm of the terrace. The proposal represents an awkward addition to this terrace which would be out of character with it and harmful to its appearance.

The proposal does not respond to local character and would not positively contribute to the sense of place or local distinctiveness. The proposed proportion, form, context, massing, siting, layout, density, height, size, scale, materials and detailed design features of the new house are incongruous to this terrace and harmful to its appearance and that of the wider area.

<u>Neighbour amenity</u>

Policy 15 of newly adopted Adur Local Plan requires that when considering applications for extensions or alterations to dwellings, proposals will be expected to comply with the criteria contained in the Council's adopted Development Management Standard No.2 "Extensions and Alterations to Dwellings" (as amended or superseded by other Council guidance in force at the time an application is considered) or any other appropriate

national standard**.** It includes the following advice for applicants when considering impacts of a development on neighbour amenity:

2.2 Proposals will not be granted planning permission if they have an unacceptably adverse effect on neighbouring properties. The main detrimental effects could be related to:

Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.
Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.
Outlook – the fact that a neighbour may be able to see an extension would not in itself make a proposal unacceptable, the outlook of neighbouring properties should not be dominated by the extension since this could be overbearing and oppressive. However, the loss of a distant view would not normally be considered a valid reason for refusing an application.

The proposed development would be within 1200mm of the common boundary with No. 31. It would be overbearing when viewed from No. 31 and particularly from the garden of No. 31. There would be overlooking from the rear dining room window and rear terrace. Occupiers of No. 31 would suffer a loss of privacy. Other neighbours would be less directly affected.

Car parking

The proposed house would retain the existing frontage parking and the existing house would be left with the rear garage with direct rear garden access. This level of parking is acceptable in this area.

Flood Risk

The Environment Agency is satisfied with the FRA submitted and would be content with a grant of planning permission subject to specific conditions related to the FRA.

Future Living conditions

The existing house would be left with a rear garden of between 4 and 5 metres in width with an overall size of approximately 60 square metres. This is not dissimilar to others in the terrace. Occupiers of the new house would have a private rear garden of a similar size but it would taper to just over 1 metre in width with access to the garage compound at the rear. The property is also shown to have two second floor balconies. Given the proximity to Shoreham Beach both gardens are considered to be adequate in size when compared with the Council's Standards.

The minimum floorspace identified in the DCLG's Technical housing standards nationally described space standard of March 2015 for a 3 storey 5 person house is 99 sqm. The proposed 3 bed house would meet this standard.

Recommendation REFUSE for the following reason:

1. The proposed house would, by reason of its proportion, form, context, massing, siting, layout, density, height, size, scale, materials and detailed design features constitute a visually discordant and dominant form of development, detrimental to the character and appearance of the terrace and the wider area. The proposal is therefore contrary to policy 15 of the Adur Local Plan 2017, adopted Development Management Standard No.2 “Extensions and Alterations to Dwellings” and the relevant paragraphs of the National Planning Policy Framework relating to good design.

2. The proposed house would, by reason of its massing, height, siting, layout, and detailed design features constitute a visually dominant form of development which would be harmful to the living conditions of occupiers of 31 Kings Crescent by reason of an overbearing impact, overlooking and loss of privacy. The proposal is therefore contrary to policy 15 of the Adur Local Plan 2017, adopted Development Management Standard No.2 “Extensions and Alterations to Dwellings” and the National Planning Policy Framework.

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 reasons 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: 22/5/18
Authorised and signed by:	Peter Barnett	Date: 22 May 2018