Expiry Date – 8/2, ppa agreed to 28/3

Development Control – Delegated Officer Report

Application Number: AWDM/1868/17 Recommendation – Grant

Site: **8 Fishermans Walk, Shoreham**

Proposal: **Demolition of existing double garage and erection of detached dwelling on land to north with associated landscaping and two parking spaces.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 17/1

Site and Surroundings

This application relates to land on the north side of 8 Fishermans Walk within its curtilage. This land is open fronted and includes a pair of garages on the rear boundary accessed from Fishermans Walk. The site is bounded to the north by a low wall which abuts the Brighton Road pavement. There is no vehicle access on to Brighton Road from Fishermans Walk but pedestrian access and access for cyclists is available at the head of the road. A pedestrian access from Brighton Road also exists from the north west corner of the site by the Brighton Road bus stop which gives access to a passageway serving the back gardens of 6,7 and 8 Fishermans Walk..

The site is not in a conservation area and is not listed.

The site is in tidal flood zone 3 but not prone to surface water flooding.

Proposal

Planning permission is sought to erect a contemporary style two storey house on this land with parking. As dictated by the site's situation within flood zone 3 the ground floor of the proposed house is smaller with curved ends and contains no living accommodation but does contain a bathroom, utility room and large hall. The first floor is oblong and cantilevered over the ground floor and supported on columns at the east end. The first floor contains an open plan living/dining/kitchen area, separate WC and two bedrooms. A balcony off the living room is shown on the north side.

The house is positioned 2.9 metres from the flank wall of No. 8 and is as close as 1.55 metres from the northern boundary wall. It is 4.9 metres from the western boundary and 2.1 metres back from the east boundary. The simple pitched roof has a ridge height of 6.5 metres and an eaves height of 5 metres. 2 tandem parking spaces are shown between the new house and the existing flank wall of No. 8 and 2 spaces are shown in the front garden of No. 8 off an extended crossover.

The ground floor is to be brick with the upper floor timber clad and the roof clad in zinc.

Relevant Planning History

AWDM/1503/13 – Two storey side extension. Granted 9.1.14

AWDM/0606/13 - Two storey side extension and replacement porch (existing garage removed). Refused 25.7.13, Appeal Dismissed

Consultations

Drainage:

'Thank you for the opportunity to comment upon this application, the proposed site lies within flood zone 3 but appears to be unaffected by surface water flooding, and has no history of flooding

The GTA FRA covers all areas where I would normally comment, regarding floor levels and resilience and the proposed blanket drainage is appropriate for this site. The FRA states the site will be subject to a Site Investigation (including a BRE Digest 365 soakage test and a winter groundwater monitoring programme), which is exactly what I would have requested.

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Therefore in this instance I would ask for a condition on the lines of

Construction methods, floor levels and drainage proposals shall be as set out in the FRA.'

Environment Agency

*'We have **no objections** to the proposed development, **subject to the inclusion of the below condition** in any permission granted.*

Condition - Flood risk mitigation
The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (RGP Design ref. D1003/FRA/1.1, dated July 2015) and the following mitigation measures detailed within the FRA:
No habitable rooms at 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.'

Health: '*Precautionary land contamination condition and PFA informative required.'*

'The development site is adjacent to a busy road and an acoustic assessment is required.

ProPG: Planning and Noise, describes an acoustic design process which seeks to deliver the best acoustic design outcome for a particular site. The acoustic assessment for the development will have to follow the principles of this guidance and shall deliver the internal noise level guidelines set out in BS8233:2014. The scheme shall also achieve as far as reasonably practicable the WHO guidelines for external amenity areas.

Given that I am still waiting for the acoustic assessment from this developer for the Ormande Way development (AWDM/1475/15), cited in the design and access statement for this application; I am not convinced a planning condition would be appropriate in this case and I therefore object to this application on the grounds that the applicant has not demonstrated that acoustic design has been considered in the application or that acoustic standards will be achieved for this development.

I will be happy to reconsider this application once the acoustic assessment has been provided.'

Private Sector Housing *: The latest revised plans are acceptable.*

Highways:

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

Summary
West Sussex County Council, in its capacity as the Local Highway Authority (LHA), have been re-consulted on proposals for single detached dwelling on land adjacent to 8 Fishermans Walk. In our comments dated 5th January 2018 the LHA requested further information regards discrepancies on the plan in relation to a marked footway not present at the site and clarification of the extent of dropped kerb required to serve the amended parking for the existing dwelling. Proposed Site Plan JB 395/ planning 05C has been provided and the LHA wish to provide additional comments as follows.

Content
The marked footway within the public highway has now been omitted from the plans to reflect the road layout as it currently stands at the site. No new works within the public highway are proposed within the turning head.

The plan also indicates the extent of the dropped kerb required outside no. 8 in order to facilitate the amended parking on the frontage of the existing dwelling. I note that shingle is proposed to be retained within a geo-grid and therefore minimum overspill on to the public highway is anticipated. The dropped kerb extension works would need to be carried out to a specification agreed with the Local Area Engineer for which a licence should be obtained.

Conclusion
As per previous comments the LHA do not consider that the addition of a single dwelling in this location would give rise to a highway safety or capacity concern and therefore the proposals are in line with paragraph 32 of the National Planning Policy Framework and 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 secured:

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 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
The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.'

County Highways has also confirmed that none of the site encroaches into publicly owned land and that the low northern wall is also in private ownership.

Representations

Objections received from 116 Old Fort Road to the original and revised scheme summarised as follows:

This unusual property is set amongst typical small properties and A259 and is inappropriate for the street scene and should be rejected.

One letter of support from No. 5 Fishermans Walk:

I support this application as I think the proposal will visually lift the area. The existing grassed area and garages are visually unappealing and dead space that nobody can enjoy. Shoreham is thriving and people want to move to the beach. This house will enable somebody to do so. This proposal will encourage people to renovate, as we have done, and benefit the area.

Relevant Planning Policies and Guidance

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

Planning Assessment

Principle

The principle of development can be supported as it provides a new dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity. Future occupiers living conditions, flood defences and connection to the highway network are also considered.

Neighbour amenity

The proposed house sits alongside the existing house at No. 8. No. 8 has a side landing window and blocked up (from the inside) side kitchen door. The new house is less than 3 metres from the flank wall of No. 8 and is approximately 3 metres deeper than it. There are no habitable windows in No. 8's flank wall and the nearest windows in the rear elevation of 8 are to a kitchen and bathroom. As the house is due north of No. 8 it is not considered that any harm will occur to the living conditions of occupiers of No. 8.

Opposite the site on the other side of Fishermans Walk is the flank wall of No. 10 and this is more than 19 metres across the road. Again no significant impact will occur.

No.161 Brighton Road is to the west of the site and has its flank wall at right angles to the proposal. Approximately 4 metres of the width of the proposed house will project closer to Brighton Road than the front of 161 but at a distance of 7 metres from it. 161 has no flank windows. Consequently it is not considered that this new house will have a significant overbearing impact or result in any significant loss of light to No. 161. A bedroom window proposed in the west wall of the new house will overlook the front garden of 161 but will not overlook windows or the rear garden.

An existing rear passageway which currently serves 6, 7 and 8 Fishermans Walk and possibly 161 Brighton Road is shown to be retained. This gives access onto Brighton Road for rear servicing purposes. WSCC has confirmed that none of the site edged in red or the low northern wall are in public ownership.

Design/Streetscene

This existing terrace of 1970's houses has a uniform appearance with a flat roofed porch and shallow curved ground floor front bay window under a tiled first floor façade and tiled pitched roof. The proposed house is nothing like the immediate vernacular or elsewhere for that matter. It has its own unique contemporary design. It will be very conspicuous in its position but it is not considered that it will be harmful to the appearance of the area. This land is an unloved patch of scruffy lawn. The new house will uplift this area and add a bit of interest to the wider area.

The position of the house will be considerably closer to Brighton Road than others in Brighton Road and does break the established building line. However, it is felt that this parcel of land is otherwise anomalous and to allow this development will not set a precedent easily capable of being repeated.

Future Occupiers

This proposed 2 bedroom house has a floor area of approximately 70 square metres and a garden area of 50 square metres plus balcony.

Government Technical Housing Standards of March 2015 sets a minimum floor area for a two bedroom 3 person unit at 70 square metres; a 1 storey dwelling - 61 square metres. This proposed house is a hybrid dwelling with no habitable accommodation at ground floor due to flood risk. As such it is considered that the floorspace created is acceptable.

The garden area is smaller than the 85 square metres set out in adopted SPD for a detached small house but it does meet the standard for a two bedroom terraced house. It is not a minimum 11 metres in depth but it is 10 metres wide. The proposed house does not face the flank wall of another house and so the need for an 11 metre deep rear garden does not apply in this case.

Flood Risk

The FRA accompanying this proposal is acceptable to the Council's drainage engineer and the EA. The plans have been revised to fractionally lift the first floor level above the flood risk line. No habitable accommodation is shown on the ground floor.

Acoustic screening

The development site sits parallel to the A259 Brighton Road and will be subjected to considerable noise from the road and possibly the nearby airport. As such windows and doors will need to be designed to achieve an acceptable internal living environment. The applicant is aware of this and has agreed in principle to such a condition. Environmental Health would also like to see an acoustic back garden wall enclosure. Again the agent is aware and has agreed in principle to such a condition.

Highways

The Highway Authority is satisfied that none of the site encroaches onto publicly owned land. They are also satisfied that the proposed parking arrangements for the new and existing house are satisfactory and will not interfere with highway safety. A rear garden shed of less than 2.5 metres in height is shown with gated access form the rear passageway. This can serve as cycle parking.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years

3. In accordance with FRA
4. Acoustic assessment
5. Samples of Materials
6. Parking provided
7. Details of landscaping
8. PD restricted
9. No new windows
10. The rear passageway serving the backs of 161 Brighton Road, 6, 7 and 8 Fishermans Walk and the new dwelling shall remain open and unobstructed in perpetuity.

Informative

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. Precautionary Contamination
3. PFA
4. Vehicle crossover License

Is recommendation contrary to any representations? Yes.

Case Officer signed:	MOK	Date: 27/3/18
Authorised and signed by:	Peter Barnett	Date: 27 March 2018