Development Control – Delegated Officer Report

Application Number: AWDM/1063/14 Recommendation – APPROVE

Site: 68 - 70 Brighton Road Lancing West Sussex BN15 8LW

Proposal: Dual ridged pitched roof 3-storey extension on east side and single-storey front extension to care home (increasing number of residents from 10 to 16).

Date of site visit: 25.09.2014

Neighbours checked: Y

Additional neighbour notifications: Y – Amended Plans

Proposal, Site and Surroundings

The application property consists of a pair of older style houses currently in use as a care home for up to 10 residents with 'mental disorder'. The houses are located on top of the secondary sea defence on the south side Brighton Road (A259). They appear as 2-storey dwellings (plus rooms in the roof) from Brighton Road and as 3-storey (with rooms in the roof) from within Golden Sands Caravan Park to the south. Their visual prominence in views along Brighton Road is derived from their elevation position and distinctive twin-gabled form, seen in relative isolation to the nearest neighbouring development on this side of the road which is smaller in scale. The property has vehicle access from a private drive running along the south slope of the embankment shared with the Caravan Park, and leading to an open parking area to the south side (rear) of the buildings.

Permission is sought for a 3-storey extension on the east side of the property and a single-storey extension across the front (north) elevation to provide 6 new bedrooms (all with en-suite facilities) and a store on the ground floor/basement, plus enlarged lounge, kitchen, utility and entrance lobby.

The site is located within Flood Zone 3 and the application is accompanied by a FRA.

Relevant Planning History

AWDM/0405/11 Replacement of garage doors with uPVC glazed bi-fold doors and use of former garages for storage incidental to care home (retrospective) – approved 02.11.2011.

ADC/0385/09 6-bedroom three-storey side extensions and single-storey front extension to care home (increasing number of residents from 10 to 16) – Approved 10.11.2009.

ADC/0247/09 Proposed 6-bedroom three-storey side extensions and single storey front extension – refused 03.08.2009 on the ground:-

"The site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to the requirements of PPS25 'Planning and Flood Risk', the applicant has not submitted the necessary Flood Risk Assessment. In the absence of the latter, there is insufficient evidence to demonstrate that the occupants of the proposed extension would not be put at unacceptable risk."

ADC/0075/08 Conversion of garages and stores to recreational rooms – refused 31.03.2018 on the ground:-

"On account of the very low-lying level of the land, in the absence of contrary evidence provided by a flood risk assessment undertaken in accordance with PPS25, the proposal would be likely to result in an increase in the number of people at direct risk of flooding, contrary to policy ERA4 of the West Sussex Structure Plan 2001-2016 and PPS25."

L/13/04/TP Change of use of 2 houses to residential care home (including mental care) for 10 residents aged 18-65 years with 2-storey rear extension – approved 09.03.2014.

Consultations:

West Sussex County Council: The Highway Authority has no objection on highway safety grounds commenting:-

"The proposal may result in a greater demand for parking in this location, however it is not expected that this intensification would give rise to a highway safety issue. Care homes are not normally associated with significant traffic volumes. The property accesses onto Brighton Road, which itself is operating with parking restrictions which would prevent parking taking place in areas that would be detriment to highway safety. The applicant is required, however, to provide cycle parking at the site for staff and visitors to discourage the use of a private car where possible."

The Environment Agency: The submitted FRA is dated 2009, and refers to Planning Policy Statement 25 (PPS25) "Development and Flood Risk". This document was superseded by the NPPF in 2012 with the associated Planning Practice Guidance. However, no objection is raised, subject to the following condition:-

"The development permitted by this planning permission shall be carried out in accordance with the approved FRA and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 5.1 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."

Adur and Worthing Councils:

The Council's Engineer has no objection subject to a condition commenting:-

"*The FRA appears to be concise and correct and providing the development is undertaken in accordance with the plans and FRA recommendations we would have no objection to the proposals.*

In the absence of any ground investigation details or proposed drainage details in support of the application, we request that should approval for this extension be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority' As soakaways are proposed, then soakage tests in accordance with BRE Digest 365 (1991) (as set out in the FRA), would be required to be undertaken on the proposed site to ascertain the size and location of the soakaway required for impermeable roof areas."

The EHO comments that the new development will need a scheme to protect rooms within windows facing the road from traffic noise. The scheme should include acoustic glazing and mechanical ventilation in order that the windows can be kept closed.

Lancing Parish Council has raised no objection to this application.

Representations:

One letter of representation was received from the occupier of 5 The Herons in relation to the initial submission on grounds of loss of light and privacy, also that the proposal will lead to increased traffic, parking and emergency vehicle parking with on-street parking in front of the care home restricting visibility for traffic. The extension is not in keeping with the seaside environment.

Following notification of the amended plans, a further objection has been received from the resident reaffirming her original objections and expressing particular concern about loss of daylight and overshadowing, commenting that good natural lighting is essential as she is physically disabled. The extension would be out of keeping with the neighbourhood, appearing as an 'institution' rather than a home.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AH10 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Proposed Submission Adur Local Plan (2014): 15, 21
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance (NPPG)

Planning Assessment

Principle

The principle for a 3-storey extension to provide additional rooms at the care home has already been established by the previous permission granted in 2009. Although the permission lapsed in 2012 it is a material consideration in the determination of the current application.

Since the previous decision national planning policy in the form of various planning policy statements has been replaced by the publication of the National Planning Policy Framework and associated National Planning Practice Guidance. The Government has accorded the NPPF considerable status as a material consideration which can outweigh the Development Plan's provisions where such plan policies are out of date; or at variance with the National Planning Policy Framework.

The relevant local development plan policies still comprise those saved within the adopted Adur Local Plan (1996) as before, although the policies within the Proposed Submission Adur Local Plan (2014) also carry some weight.

Saved LP policy AH10 states that extensions to existing residential care homes will only be permitted where they fully comply with policy AH7 (Extensions to Dwelling Houses). The latter states that extensions should be designed so as not to result in an unacceptable degree of overlooking, loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the surrounding built environment.

The emerging Adur LP (2014) has no policy relating to care homes specifically but Policy 21 seeks provision of a range of dwelling types, size and tenure to reflect and respond to the housing needs and demands of the District. Policy 15 requires all new development to 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 (amongst other things) proportion, form, massing, layout, height, scale, materials and detailed design. It states that development should enhance the local environment by ways of its appearance and character, with particular attention paid to architectural form, and make a positive contribution to the sense of place, local character and distinctiveness whilst not impact unacceptably on adjacent properties.

The proposal is within the built-up area and will provide additional and improved care home accommodation. It can therefore be supported in principle as contributing towards meeting a specific housing need within the District. The relevant considerations being the effects on the character and appearance of the property and the surrounding area, the living conditions of future residents and impact on neighbouring residential occupiers, the effect on flood risk and highway safety considerations.

Visual amenity

As originally submitted the proposed development was identical to the scheme approved in 2009; the extension on the east side being 6.8 wide and

11.1m deep, with a part pitched/part flat-roof. The extension is shown set back nominally from the front elevation of the existing pair and projecting some 2.85m beyond the main rear elevation. The overall roof height is shown 2.2m below the existing ridge height and the eaves 1m below the existing eaves height with the second-floor accommodation partially contained within the roof with front and rear dormers. The single-storey front extension would be 2.3m deep across the entire front elevation of the original pair of dwelling with a tiled, lean-to roof.

Although the extension as originally approved would appear subservient in scale, the form and massing of the extension did not respond particularly well to the distinctive form and massing of the original pair. The composition of the east elevation in particular appeared rather awkward and unbalanced, and in view of its exposed position would be extremely prominent in views along Brighton Road. In establishing a presumption in favour of sustainable development the NPPF makes it clear that sustainable development involves seeking positive improvements in the quality of the built environment (paragraph 9) and states that planning decisions should (amongst other things) respond to local character and reflect the identity of locality surroundings establishing a strong sense of place, using streetscapes and buildings to create attractive places to live, work and visit (paragraph 58). Emerging Local Plan (2014) policies also give impetus to ensuring that new developments reflect and respond to local character and should maximise opportunities for enhancement by promoting good design and architectural quality. Following negotiations with the applicant, improvements to the design of both the side and front extensions have been sought which seek to improve their integration and visual relationship to the host pair.

Whilst the overall size and amount of accommodation remains unchanged, as amended, the roof form has been altered to comprise dual ridges with gables projecting eastwards at 90º to the main roof ridges. The front and rear dormers have been altered to create ‘gablets’ breaking through the eaves and a more balanced fenestration introduced on the exposed east elevation with traditionally proportioned and dressed windows. Matching tile-hung porch gables have been introduced to articulate the single-storey front extension and the fenestration altered to reflect a more traditional window hierarchy.

Although the existing care home buildings have a somewhat ‘tired’ appearance, having suffered some unsympathetic minor alterations in the past, the original pair nevertheless represent a striking feature within the streetscene owing to their prominent form and exposed position on the embankment. It is considered the amended extension will harmonise more sympathetically with this distinctive form and the improved detailed design safeguard their remaining character.

Residential amenity – effect on neighbouring occupiers

The proposed east side extension is opposite the car wash site on the north side of Brighton Road. No.5 The Herons adjoins the west side of the car wash, on lower ground compared to the application property. The occupier of No.5 has expressed concern over loss of natural light and overshadowing. As amended, the eaves height of the proposed side extension is the same as that approved in 2009, The ridge height is approximately 0.5m taller than the

flat roof previously approved, but given the intervening distance of 35m and the oblique angle there would be no justification for refusal notwithstanding the difference in ground levels. There would be no unacceptable loss of outlook or overbearing effect on dwellings on the north side of Brighton Road. There are no other dwellings in the immediate vicinity of the proposed extensions that would be affected.

Residential amenity – living conditions of future occupiers

In terms of the standard of accommodation provided, minimum room sizes and the provision of amenities and facilities for residents is controlled by other legislation within the remit of the Care Quality Commission. However, the EHO requires the windows facing the busy A259 to be of acoustic glazing with mechanical ventilation to ensure a satisfactory living/sleeping environment. This can be dealt with as a condition of planning permission.

Access and parking

WSCC have no highway objection and it is not considered that a 6-bedroom extension to the care home would generate significant traffic movements compared to the amount of traffic using the access road (shared with Golden Sands Caravan Park).

The application forms refer to 10 parking spaces in garages, but these have been converted to storage space. There is an expanse of hard-surfacing within an enclosed area to the rear of the buildings. No parking spaces are laid out but there is space to accommodate up to 5 vehicles parked at an angle to the rear boundary. The proposed development incurs a maximum parking standard of 7 spaces (including staff and visitors). Notwithstanding the concern raised by the third party, no objection has been raised by the Highway Authority on grounds of insufficient parking provision. The site is sustainable and conveniently located on a bus route.

Flood risk

The FRA submitted with the application is the same as that submitted in respect of the previously approved scheme and is therefore out-of-date in its reference to national planning policy. However, the EA has not objected on this basis and the technical details have been accepted.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard 3 Year Time Limit
2. Approved Plans
3. The development permitted by this planning permission shall be carried out in accordance with the approved FRA and the following mitigation measures detailed within the FRA:

- Finished floor levels of the upper ground floor set no lower than 5.1 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.

4. Matching materials – samples to be agreed including tile-hanging, window heads and cills, soldier course banding.
5. Agree windows and doors
6. Agree details of scheme to protect front bedrooms from road traffic noise
7. Limit number of care home residents to 16.
8. Agree cycle storage
9. At no time shall the basement/lower ground floor of the extension be used as habitable living accommodation.
10. Agree surface water drainage
11. Hours of construction
12. CMS

Planning Informatives

1. Any works within 15 metres, or excavations within 250 metres of the high water line will require the prior written consent of the Environment Agency under the Water Resources Act 1991 and the Southern Region Byelaws.

2. The Environmental Permitting Regulations (England and Wales) 2010, cover water discharge activities. The Septic tank may require an Environmental Permit or qualify for an exemption. Please see the Environment Agency website for further information https://www.gov.uk/environmental-permit-how-to-apply/overview

3. Proactive - Amendments

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

Case Officer: Jo Morin Date: 12.02.2015

Authorised by: Gary Peck Date: 12 February 2015