Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/0685/16

Site: **89 Old Fort Road, Shoreham**

Proposal: **Construction of single-storey outbuilding and associated landscaping**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a newly built out single dwellinghouse with a timber clad exterior and tiled roof. The rear garden is demarked by close boarded fencing. It is on the north side of Old Fort Road in an outer residential suburb of Shoreham.

Permission is sought for a single storey outbuilding to measure (at max) 3.5 metres wide, 12 metres long and a height of 2.5 metres. The building function would be for a bicycle store and a home gym.

This development requires a planning application because condition 7 of AWDM/1541/13 removed permitted development rights related to outbuildings. This condition does not preclude the installation of the proposed timber deck and other garden landscaping, which do not require the submission of a planning application.

It is important to accept that condition 7 was not imposed to prohibit any future outbuildings whatsoever – only to enable local authority control over those of a design that would result in adverse harm.

Relevant site history
AWDM/1541/13
Demolish existing bungalow and construct replacement bungalow
Approved Conditionally 18-02-2014

Consultations (summarised)
Adur & Worthing Councils Environmental Health officer: *impose precautionary contaminated land condition and PFA informative*

Representations (summarised)
Objections received from occupiers of 27, 29 & 35 East Meadway, 116 Old Fort Road: *Overdevelopment, breaches 22m clear space between the rears of houses in East Meadway and this property in Old Fort Road which is required to give minimum amenity space for both houses. Constitutes "separate self contained living accommodation", wooden decking at same level as proposed building. Only 60 cm away from rear, western and eastern boundaries and stand over a metre above my boundary fence. My garden is DIRECTLY next to this proposal. It would be overwhelming and negative effect on the*

amenities of my property – extra source of noise. Too large, inappropriate, intrusive. Never shown in previous drawings or submission. Condition 7 placed for a good reason on this site. Conflicting heights shown for the building. Shown as 2.5m from ground level while design statement gives height of 3 metres. Substantial. A continuous dark structure above fence would be very oppressive, particularly during the winter months. Since viewing the amended application reiterate my objection. Consists of a room (2.62m by 3m) with a window and no exterior door; a wide hall (2.6m by 3m) with larger sliding doors and storage space (connecting three rooms); a very large room (5m by 3m) with 4 windows and cupboard; and a separate bathroom (2m by 3m) with toilet, sink and shower and window. Size and type of extended living space remains unchanged. Building is now shown 100cm in from boundary. This reduction, small as it is, does not correspond to the amended size of the proposed building (which has only been reduced in length by 65cm). With this discrepancy in mind and to share again an overview of the overwhelming impact, "outbuilding" consists of a room (2.22m by 3m) with a window and no exterior door. That's only a change of 40cm in width since the last submission. – a wide hall (2.6 by 3m) with large sliding patio doors (connecting the building's two main living spaces). Which remains unchanged – a very large room (now consolidation with the bathroom) (6.73m by 3m) with 5 windows. At the most optimistic that's only a change of 40cm in width. This building is still far too large. It would be 34.65 metres squared (86.6 cubic metres). This represents additional and exterior living accommodation. It will have electricity, enabling living, heating and any electrical applications and equipment. In the original application, space was allocated for a bathroom suite. This physical space remains available. My point is, the removal in labelling only of a bathroom suite, has not accompanied by any reduction in the building size. In front of this proposed building there is decking. The decking now comes further down the applicant's garden, taking up more than half of the garden space. The applicant refers to trees and shrubs in no. 29 and 27 East Meadway as justification for this proposed large building. Survival of these mature trees would be in severe jeopardy. Outbuilding would have 34.5 metres squared of foundation concrete. Proposal allows no space for same growth.

Support received from occupiers of 4 East Meadway, 51 Beach Green and 76 & 141 Old Fort Road: *Having seen the design/landscaping see no reason to object. Building seems reasonable as we all know how much space is required for garden equipment, bicycles and a home gym. No rear or side facing windows so does not compromise privacy. Does not have any impact on neighbours.*

Relevant Planning Policies
National Planning Policy Framework
Saved Adur Local Plan Policies AH7, AG1

Planning Assessment

Principle
Upgrading of the residential accommodation is supported in principle.

Visual amenity

The scale and form of the outbuilding is domestic and in proportion to the footprint and scale of the host dwelling. It would be built of exterior materials and finishes sympathetic to the host dwelling. It is concealed from public view.

No visual harm would arise from it.

Residential amenity – future occupiers

Future occupiers would continue to benefit from an adequate amount of garden area which exceeds the Council's adopted standards for a 4 bed dwelling (100 square metres).

No detriment to living conditions of future occupiers would arise.

Residential amenity - neighbours

It is the neighbours either side and at the rear who are principally impacted by this development (which is physically removed from the remainder).

Noise and disturbance would remain domestic in nature and not made harmful by the presence of the outbuilding. The imposing of a planning condition would be sufficient control to limit the function of the building to domestic accommodation ancillary to the use of the host dwelling.

Given the single storey height and flat roof of the new building, the distance retained between it and neighbouring buildings would be sufficient to negate the potential for adverse overbearing and overshadowing (although it is recognised it will run along the majority of the length of the rear boundary).

All fenestration faces into the site with none onto the boundaries, so no unacceptable loss of privacy or intrusive overlooking would result.

No adverse harm would arise onto the living conditions of neighbours as a result of this proposal.

Flood Risk

The front of the site falls within the highest category of tidal flood risk (zone 3) but the rear of the site is outside of any flood zone.

Nonetheless internal floor levels of the new building would be above outside ground level, which would be sufficient to mitigate any harm to human health arising from the building's occupation (which involves no overnight sleeping).

Contamination Land

Environmental Health has requested the permission be subject to a precautionary condition.

However, no request was made for such a condition in the 2013 proposal for the new dwelling. Since the construction of new dwelling involved substantial ground works, with presumably no contamination discovered, it would be unreasonable to now impose a contamination condition on this subsequent

application. An informative would be sufficient to mitigate any potential undiscovered contamination risk.

Recommendation

APPROVE

Subject to the following conditions:-

1) Approved Plans
2) standard time limit
3) Accommodation to be ancillary

Informative

i) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

ii) This site is situated on or adjacent to a site which has been identified through Adur and Worthing Councils' Contaminated Land Inspection Strategy as having the potential to be contaminated. If during development, any visibly contaminated or odorous material, (for example asbestos, stained soil, petrol/diesel/solvent odour, underground tanks/vessels or associated pipework) is found to be present at the site, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on this site. It is advised that no further development shall be carried out until it has been investigated. It is recommended that the Local Authority's Environmental Health Department is contacted for further advice.

iii) The developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

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

Case Officer: Matthew Porter Date: 04-07-2016

Authorised by: Peter Barnett Date: 4 July 2016