Development Management – Delegated Officer Report

Application Number: AWDM/0240/22 Recommendation – Approve

Site: **158 Brighton Road, Lancing**

Proposal: **Demolition of existing dwelling and construction of a pair of semi-detached houses with associated parking. Application to vary Condition 1 of approved AWDM/0084/19 (approved plans).**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: Not visited – assessed using previous site photos and Google Maps

Site and Surroundings

This application relates to a two storey house with single storey side and rear extensions on the south side of Brighton Road. The property has been converted into two flats.

The house backs onto Widewater lagoon. The site is on sloping land such that the house is single storey only at the rear, with a room in the roof. The rear garden is on three terraced levels down to the water's edge.

The existing house is a painted and rendered property at ground floor and weather boarded at first floor and has a stepped access to the rear garden on the west side and a shallow ramped entrance on the east side. It has a hipped pyramidal roof. To the east is a fully gabled two storey house, with loft accommodation, in a row of five similar properties and to the west, No. 156, has recently been demolished to make way for a pair of houses approved under the terms of planning permission AWDM/1921/17 refers.

This area is predominately inter war suburban housing but has seen significant amounts of more modern and intensive infill on the south side of 3 storeys, most recently at No. 152 which includes a strong central front gable feature taller than the main roof.

The site and coastal strip sit in Environment Agency flood zone 3. There are parking bays outside the house and a bus stop is very close by. The A259 is a busy and wide coastal road.

Proposal

Planning permission was granted in 2019 (AWDM/0084/19) to replace the existing house with 2 no. three storey houses from the front, 2 storeys when viewed from the rear.

This application seeks to amend the approved plans:

- by constructing a ground floor extension at the rear with terrace above. The extension will measure 4m deep and will have a glass balustrade and central stair access to the garden for each house, separated by a new brick wall screen. The extension will form a gym/studio.
- Removal of cladding to side elevations and replacement with render
- Removal of ground floor doors on side elevations
- Alteration to doors within undercroft parking area at front
- Minor alteration to roof of central gable at front

It was evident at the site visit that work is well advanced on its construction.

Relevant Planning History

AWDM/2107/20 - Approval of Details Reserved by Condition 03 (materials), 06 (Surface Water Drainage), 08 (Acoustic Assessment), 09 (Construction Plan) of approved application AWDM/0084/19.

AWDM/0084/19 - Demolition of existing dwelling and construction of a pair of semi-detached houses with associated parking. (Revised proposal)

AWDM/1841/17 - Demolition of existing detached dwelling and construction of two 4 bedroom semi detached dwellings over three and a half storeys. Refused 14.3.18

AWDM/0045/17 - Retention of change of use of building from single dwellinghouse to two flats (retrospective). Approved

ADC/0337/06 - Rear conservatory. Granted 27.10.06

L/91/99/TP/18011 – Single storey side extension. Granted 29.7.99

L/135/87/TP/1377 - Two-Storey Extension At Side To Provide One-Bedroom Self-Contained Flat. Granted 28.7.87

L/76/84/TP/3124 – Garage. Granted 15.6.84

L/86/79/TP/6993 - Extension To Rear And Garage To Side. Refused 30.4.79

Consultations

<u>Environment Agency (Comments on original application)</u>

'We have reviewed the information as submitted and have the following comments.

Environment Agency Position

'The Environment Agency requests that the following condition be attached to any planning permission granted, and that the details in relation to these condition be submitted and approved by the Local Planning Authority.

The proposed development will only meet the National Planning Policy Framework's

requirements if the following planning condition is included.

Condition
The development shall be carried out in accordance with the submitted flood risk assessment (Submitted by Ashfield Solutions Group on 10/12/2018) and the following mitigation measures it details:

- *Finished habitable floor levels shall be set no lower than 5.20 m above Ordnance Datum (AOD)*

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.

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

Advice to LPA/applicant

We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:
Department for Communities and Local Government: Preparing for floods
http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf
Department for Communities and Local Government: Improving the flood performance of new buildings:
http://www.communities.gov.uk/publications/planningandbuilding/improvingflood

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, 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.

The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their

decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).'

Council's Emergency Planner (Comments on original application):

'I concur with the observations made by the Environment Agency. The proposed dwelling sits on a flood zone 3 however there are no recorded events of flooding to dwellings in this locality.

All occupants in this location will be notified of flood warnings by the EAs floodline. There is an Multi Agency Flood Plan covering this area which manages the multi agency response in event of a flooding event.
The recommendation of setting finished habitable floor levels no lower than 5.20 m above Ordnance Datum (AOD) is a sensible one. I would also add that the electricity feed and meter is also located above this level.'

Southern Water (Comments on original application)

'Southern Water would have no objections to the above proposal.

Southern Water requires a formal application for connections to the public foul and surface water sewers to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructurecharges.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer

Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

Comments on this application: Our comments remain unchanged and valid

Council's Drainage Engineer (Comments on original application):

'Further to my initial objection response of the 16th May, I have had lengthy discussions with the applicants architect regarding surface water disposal.

The architect has agreed in principal to engage a specialist drainage Company specifically to look at discharging the east west and southern elevation rainwater drainage into Widewater Lagoon, this discharge does not need any form of retention.

The architect also agreed that the northern aspect (road facing) would have some form of drainage blanket under the parking area to collect the roof drainage and to stop water reaching the highway.

I would be happy to have this as a prestart condition.

Therefore, we request that should approval for this new build 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'

Highways (Comments on original application)

I refer to your consultation in respect of the above planning application and would provide the following comments. West Sussex County Council was consulted previously on Highway Matters for this location under planning application AWDM/1841/17 for the demolition of an existing detached dwelling and construction of two 4 bedroom semi-detached dwellings over three and a half storeys. No highway concerns were raised, the application was refused for other reasons.

West Sussex County Council was consulted previously on Highway Matters for this application and provided comments dated 14/02/2019. No highways concerns were raised. Subsequently the proposal has been revised. The comments below are provided after revised of the latest plans and details submitted.

The site is located on Brighton Road, which is 'A' classified (A259) and subject to a 30 mph speed limit at this point. The site is well served with pedestrian links to local amenities and services. The site is also served with public transport to the services and amenities in Lancing and Shoreham and beyond.

Access
Vehicular access is currently achieved via an existing dropped crossing providing 58 Brighton Road two off street car parking spaces. This existing crossover would remain to serve the most western plot. The eastern plot would need to be provided a new

vehicle crossover. The works on the highway must be implemented under licence to a specification obtained from WSCC Highways. The proposed dropped crossing will result in the loss of an on street car parking provision, for which the Local Planning Authority may wish to consider the amenity implications of this loss.

Parking & Turning

The design and access statement details that each plot will be provided with 2 off street car port parking spaces.
The parking provision is considered adequate to meet the needs of two dwellings of this size in this location. Secure and covered cycle parking should be provided for each dwelling. The submitted plans do not demonstrate a turn on site provision. Nevertheless I'm mindful that the precedent of vehicle crossovers in this location without a turn on site is well established and notably was occurring at this site as per the existing situation. I would not be minded to conclude that two dwellings accessing A259 in this location in such a way would result in a 'severe' safety issue that could be substantiated.

Conclusion

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

Access
No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of road safety

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

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 Note

Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

No highway concerns with this current application.

Environmental Health (Comments on original application)

'The area of development, has been identified by DEFRA as an area severely affected by traffic noise and no scheme based on good acoustic evidence has been provided to protect the new residential dwelling from noise.

ProPG: Planning and Noise, describes an acoustic design process which seeks to deliver the best acoustic design outcome for a particular site. Any future noise assessment for the site will have to follow the principles of this guidance and shall deliver the internal noise level guidelines set out in BS8233:2014. The noise assessment should also consider the maximum night time noise levels the property is exposed to and ensure the final acoustic design is sufficient to mitigation against these noise peaks.

I would recommend that any acoustic scheme includes mechanical MVHR ventilation for the whole development if windows need to be kept closed to achieve good internal noise levels.

I have no objections to the development in principle but I will have to object to the application as presented as no acoustic assessment or mitigation has been included in the scheme.

Once permission is given, I would recommend a demolition and construction management plan, given the proximity of the development to the public footpath and bus stop. We will need to know where waste and building materials will be stored for the development.

Please can you also include an informative requesting the applicant contact EH for a demolition notice under the Building Act 1984 before demolition commences.'

No objection to current application.

Private Sector Housing: Please could the following informative be placed on any planning permission that may be granted:

The Private Sector Housing team of Adur & Worthing Councils have 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. In this case, the left hand property shows a study at second floor level which is only accessed from the open plan kitchen and so it is an inner room.
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.

Waste Services: *No objection.*

Lancing Parish Council: *No comment.*

Representations

None received

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2021
Adur Local Plan 2017 Policies 1, 2, 3, 13, 15, 18, 20, 22, 31, 34, 35 and 36 including Development Management Standard No. 1 – Space around New Dwellings and Flats.

Planning Assessment

Principle

The proposal constitutes infilling within the built up area of Lancing and can be supported in principle. This application seeks an amendment to an already approved development.

Visual amenity

The proposed development reflects the scale and design of the recent infill scheme at 152 Brighton Road, 3 houses to the west. The proposal has a main ridge height of 12.55 metres and a feature gable ridge height of 13.56 metres, as built at No. 152. This general design approach to replacement dwellings can be seen elsewhere on Brighton Road too.

From the rear the houses are now three storeys following the excavation of the garden and construction of the ground floor extension. There is a mezzanine level, invisible externally, but which will benefit from light from the glazed gable windows and views out to the sea.

The ground floor extension is not visible from the street and is in scale with other extensions along this side of the road. The other alterations are considered to be minor and do not harm visual amenity.

Residential amenity – the living conditions of future occupiers

The proposed dwellings would comfortably meet the minimum floor area for a 3-bedroom, 3 storey dwelling stipulated in the Technical Housing Standards. The proposed dwellings would each be provided with a rear garden sloping down in terraces to the edge of Widewater Lagoon but the garden has been reduced by the rear

extension and falls short of the minimum garden area of 100 square metres required for a large semi-detached dwelling in the Council's Development Control Standard No.1. However, bearing in mind the quality of the living space and the additional rear balcony each property will have, it is not considered that the proposal will be short of satisfactory external amenity space to the detriment of the enjoyment of the property. However PD rights should be withdrawn to prevent further unacceptable erosion of amenity space.

Bedrooms in the properties would be exposed to traffic noise from the busy Brighton Rd and a noise mitigation has been previously approved.

In general, it is considered the proposed dwellings are well laid out and would provide a good standard of family accommodation.

Residential amenity – effect on the amenities of neighbouring occupiers

No. 156, to the west, has been demolished and replaced with 2 no. three storey dwellings. The nearest new dwelling at No. 156 is set off the shared boundary by 1.235 metres with the proposed houses here set off by 1 metre. Secondary side windows or non habitable room windows are proposed in the approved scheme at 156. However, adequate separation between the proposed west flank wall of the proposed dwellings and those to be built at No. 156 is proposed. There is a slatted timber privacy screen to the side of the rear amenity space at 156 but it is considered necessary to provide a further screen for the proposed terrace at 158.

No. 160, to the east, is a two storey house with windows in the west flank wall. It has not been possible to gain access to No.160 to see what these windows serve but it is probable that they are secondary windows or bathroom. A double width parking area sits within the boundary of No. 160 adjoining the site. Development, including the side passage proposed will be 6 metres from these windows. Sufficient light will continue to reach them.

The proposal has a similar front building line to the existing dwelling. The new rear building line does project some distance beyond the rear of No. 160 but no significant loss of light or outlook will occur due to the separation between the buildings and the fact that the extra built form is at ground level only.

The other alterations are considered to be minor and do not harm residential amenity.

Accessibility and parking

The site enjoys reasonable accessibility. Each dwelling would be provided with 2 parking spaces (undercroft) similar to many other recently approved developments here with no on site turning facility. The Highway Authority raises no objections. Cycle parking can be accommodated within the workshops or rear gardens.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans

2. 3 years
3. Samples of materials
4. Details of landscaping
5. Details of fencing
6. Details of surface water drainage
7. In accordance with FRA dated 10.12.18
8. Details of acoustic scheme to deal with road noise
9. Construction Management Plan details
10 Construction hours
11. 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 the approved drawing.
12. 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.
13. No new windows side/roof
14. PD for extensions/outbuildings removed
15. Balcony screen details

Informative

1. 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.

2. SW license for connection to public sewerage system
3. SW contact regarding nearby sewers etc.
4. Vehicle crossover license
5. *The Environment Agency strongly recommends the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.*
To find out which measures will be effective for this development, please contact the Council's building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:
Department for Communities and Local Government: Preparing for floods
http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf
Department for Communities and Local Government: Improving the flood performance of new buildings:
http://www.communities.gov.uk/publications/planningandbuilding/improvingflood

Is recommendation contrary to any representations? No.

Case Officer signed:	Peter Barnett	Date: 13 April 2022
Authorised and signed by:	Gary Peck	Date: 19 April 2022