Development Management - Delegated Officer Report

Application Number: **Recommendation – Refused**
AWDM/0678/12

Site: **Overstrand, Shopsdam Road, Lancing, West Sussex**

Proposal: **Demolition of existing garage and construction of 2 storey accommodation comprising ground floor bedroom and toilet, first floor living area with external terrace and ground floor parking space.**

Date of site visit: 23/07/12

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site is on the eastern side of Shopsdam Road the unadopted, unmade road. The road being raised above the low lying land either side. The road also serves as a public right of way on foot to the seafront and beach. The site lies opposite the site currently occupied by 'Overstrand' a detached dwelling which has a large curtilage which extends to the south towards the seafront.

The site of 'Overstrand' has a detailed planning history from 2008 when permission was originally granted to demolish the existing dwellinghouse and erect 3 detached houses on the whole site, fronting Shopsdam Road (ADC/0024/08) This has since lapsed.

In 2010, an application to redevelop the whole site with 4 houses (3 facing Shopsdam Road and one facing the seafront) was refused by the Committee but was subsequently allowed on appeal in December 2010 (ADC/0098/10)

In July 2010, in the period before the above appeal decision was made, permission was granted to erect a detached house on the south part of the site facing the seafront path (ADC/0163/10). Amendments to the design where permitted in January 2011 (ADC/0445/10).

The fours dwellings on the 'Overstrand' site as shown on Drawing no. 1117-P-602 have planning consent. The detached southernmost house being implemented under ADC/0163/10 as amended by ADC/0445/10 is under separate ownership. Construction has commenced on this site. The remainder of the site, outlined in blue on the aforementioned plan is under the ownership of the applicant. The applicant proposes to implement the development of the site outlined in blue with three detached dwellings as allowed on appeal under ADC/0098/10 with amendments approved under AWDM/0238/12. The existing Overstrand dwelling still remains on site and work has not commenced.

The current application seeks permission to demolish the existing detached garage sited on the eastern side of Shopsdam Road directly opposite the proposed site of house number 3 and to develop it with a two storey building. The building is described in the Design and Access Statement as a 'granny or nanny' annex. It states that the building would form part of the house-hold at House no.3 and if successful in planning, the annex would be sold as part of house no.3. The accommodation comprises of a bedroom and W.C/wet room at ground floor level and a living room leading onto a roof terrace at first floor. The ground floor accommodation is reduced to allow for under croft parking for one car.

The footprint of the proposed annex building maximises the space on the site. The ground floor takes a part rectangular form this element of the building is proposed to be blue timber effect cladding. The first floor is a curved shape with sloping roof, this is to be white render. The building has a maximum depth of 9 metres, maximum width of 4.5 metres and maximum height of 6.5 metres.

A Design and Access statement and Flood Risk Assessment Report have been submitted with the application.

Consultations

Adur and Worthing Council: - The Environmental Health Officer has advised that an informative relating to potentially contaminated land should be attached to any permission granted. It is also advised that an informative should be attached to any permission granted to advise the applicant that they will need to contact environmental health for a demolition notice prior to any demolition taking place.

The Waste Strategy Manager states that the previous advice still stands. Standard sized bins should be provided for each property and the householders must wheel the bins to the end of the road for collection. As this is a private road with limited clearance we would not consider entering with a dustcart.

West Sussex County Council: - The Highways Authority provide the following comments: - Due to the nature of the dwelling this proposal would be unlikely to add a significant number of vehicular movements to the overall development. From the plans provided with this application, and previous application at the site, it has been proposed that 8 vehicular car parking spaces would be provided (2 per dwelling). This latest proposal does not change the existing parking arrangement with the annex itself being provided with its own dedicated car parking space. This one space does cater for the anticipated demand created by this development, when assessed using the WSCC car parking demand calculator. Therefore no concern would be raised. If the LPA are minded to grant planning consent I would advise that a condition securing the parking space for the annex dwelling be applied.

The Public Rights of Way Officer states that due to this footpath currently being used for private access by a number of residential properties and the sufficient width and visibility along the path, West Sussex County Council's Rights of Way Team will not be raising an objection to this application. The

applicant must be advised that he will be liable for any damage to the surface arising from his exercise of private access rights. Any repairs or alterations must only be undertaken following agreement of the specification by the WSCC Rights if Way Team.

The Environment Agency: - No objection to the proposal.

Lancing Parish Council: - Object. This is considered to be an overdevelopment of the site and out of character with the street scene. The proposal could also have a serious and negative impact on the long established Yacht Club.

Representations

Third Parties: - 1 email objection has been received from Isabelle Jackson on behalf of Lancing Sailing Club. Previous comments made under ADC/0163/10, ADC/0486/09 and ADC/0098/10 to be considered alongside this application as the proposed developments will have the same detrimental effect on Lancing Sailing Club.

- The current application mentions the development to be a stand alone property.
- It is believed that this development will risk the club's unhindered access to the club for both members and emergency services. The clubs membership may decline and its viability will be in question.
- The club has a right of unobstructed access to the club along Shopsdam Road.
- Shopsdam Road is very narrow and easily blocked.
- We fear that the level of disruption will increase when the build is finished and residents start parking at the southern end of Shopsdam Road.
- There would be disruption during construction works.
- The existing garage is surrounded by Lancing sailing Club land. This puts the boats at risk and implications for insurance.

1 letter of objection from the owner/occupier of flat 4 Pebbleview, 62 Brighton Road.

- This is an attempt by the developer to get as many houses on the site of Overstrand as they can.
- Strongly opposed to the development as the road cannot sustain this level of development.

1 Email representation from owner of The Old Life Boat House.

- I am the chair of Lancing Regeneration Community Group. The vision document argues for taking advantage and encouraging water sports in our village. Access to the Sailing club will be hindered and result in the decline of the club.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH5, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control No.3 'Space Around New Dwellings and Flats.'
Internal Space Standards for New Homes (ADC 2010)
South East Plan (GOSE 2009): SCT1, SCT5, SP3, CC4, CC6, H1-2, H5, NRM4, BE1-2
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The Design and Access Statement refers to the new building as being a new 'granny or nanny' annex that would form part of the household at house no. 3. If successful in planning the annex would be sold as part of house no. 3. Although the prospective buyers must have a need/desire for this form of accommodation in addition to the currently unbuilt four bedroom house there is no detailed justification for this submitted with the application. Notwithstanding this it is considered that the principle of the use of this site for residential accommodation in the form of an annex would be resisted. The building is opposite house no. 3 however there is no physical link between the annex and the main house. The accommodation provided by the annex (other than the omission of the kitchenette) represents that of a self contained independent residential unit with its own curtilage, parking provision, amenity space and living accommodation. Even with the omission of the kitchenette and a condition being attached to link the annex to house no. 3 as any 'need' for the annex ceased over time there is the risk and likelihood that consent would be sought for the annex to be used independently or that the use would evolve unlawfully.

Matters for consideration in this case are: - Design and appearance of the proposed annex and impact on the visual amenity and character of the area. The impact on the residential amenities of the existing surrounding dwellings and future occupiers of the houses and annex and highway and flood risk issues.

Visual Amenity and Design

The proposed building will be significantly different in form, scale and design from the existing garage building which it is acknowledged has no architectural merit. Having said this it is a modest building and does not have any impact on the distant views of the site and wider area.

The proposed design, scale and use of materials will produce a very prominent building of unique style and character. Its siting on the eastern side of the road contributes to this prominence due to it being a stand alone building on this side of the road. The Design and Access Statement states

that ‘the upper floor is articulated as a simple slightly curved element, echoing the dinghys that are stacked around three sides of its perimeter. The curve of the roof follows the head room required for stair access and allows light and views into the terrace and living area. This gently curved hull is finished in off white render and seems balanced on the timber effect clad box at ground floor level, itself rooted on a brick plinth below.’

The agent makes reference to the link between the architectural style and use of materials between the proposed annex building and the ‘parent building’ and house no. 4 (currently under construction.)

The building however will be viewed in isolation of the dwelling houses on the west side of the road. This is due to it being small scale (relative to the four bedroom dwelling houses) and not being readable within the street scene as a residential use. The main entrance of the building is set in within the covered recess and is not clearly visible. The building appears to have a public or utilitarian use. It is not considered that the design and use of materials relates visually to the dwelling houses. The building is considered to be overly large and detrimental to the character of the street scene and surrounding area. This is therefore contrary to Policy BE1 of the South East Plan that states that local authorities will promote and support design solutions relevant to the context and which build upon local character and distinctiveness and sense of place.

Residential amenity – Proposed Occupiers

For consideration in this case is the impact on the future occupiers of the annex. Despite being described as an annex for the purpose of this application the proposed building is being assessed as an independent dwelling. The description of development does not make reference to the link with house no. 3. Consideration must be given to the provision of sufficient living accommodation for the future occupiers. The Council’s Internal Space Standards form a material consideration in the determination of applications for new dwellings. This document does not set out a space standards for a one bedroom dwelling. However when considered against the standards for a one bedroom flat the proposed dwelling should be at least 51sqm in total the proposal is just under this requirement. There is no storage space provided for the occupiers. The living area exceeds the required 22 sqm and the sleeping area is under the required 12 sqm at approx 9 sqm.

Residential amenity – Existing Occupiers

The proposed annex building will be higher and more prominent that the existing garage building. However due to its positioning on the eastern side of Shopsdam Road and siting adjacent to the open storage ancillary to the sailing club there will be no direct loss of light, overbearing impact or loss of privacy to any adjacent residents in this case. The proposed house no. 3 will be in the closest proximity being directly opposite at a distance of 5.2 metres. However the design and layout of the annex with no windows facing west and the roof terrace and main aspect being directed to the south will protect the privacy of both dwellings. Having said this the new building will be stark and

tall in appearance and due to the limited distance between the site and no. 3 there could be an impact on the outlook of this property.

Flood Risk

A Flood Risk Assessment (FRA) has been submitted with the application. This is the same document which was submitted and accompanied the previous application for 4 dwellings. It states that information from the Environment Agency suggests that the 1 in 200 year flood level is currently estimated as 4.3mAOD increasing to 5.5mAOD in the year 2115. It states that the existing sea defence (ie. the shingle beach with low wooden revetment) is at 6.1mAOD and, although it is unlikely that a significant quantity of flood water would reach the site as a result of wave overtopping except in the most extreme event, as a precaution, the developer proposes to set the habitable floor level at 6.1mAOD as with the development opposite. It states that Shopsdam Road provides a safe means of escape and concludes that the proposed redevelopment is suitable assuming appropriate mitigation (including appropriate warning and evacuation procedures) can be maintained for the lifetime of the development.

The Environment Agency (EA) has no objection to the proposal. The LPA raised the issue of the Sequential Test with the developer. However, it is considered on balance that based on the Environment Agency's comments on the previously permitted application in 2008 at the site opposite which did not refer to carrying out sequential test. It is not considered that the sequential test can be satisfied in this case as there clearly are other sites likely to be available in the district for a single dwelling. However in relation to the previous scheme the EA states that because of the small-scale of the development and their being satisfied as to the risk, they would provide no backing for the Council if the application was to be refused on grounds of not complying with the sequential test.

Parking and Access

One parking space is to be provided ancillary to the proposed dwelling. The Highways Authority has no objection to the proposal provided that a condition is attached to ensure that the parking space for the new dwelling is retained.

Other Matters

An informative has been attached relating to potentially contaminated land at the site. This is necessary to ensure that the LPA is informed of any contamination present and that this is dealt with satisfactorily.

Recommendation

REFUSE for the reason:-

1. The proposed building by reason of its large size, unsympathetic design and use of materials would be an unduly dominant and conspicuous form of development which would be out of keeping in scale and appearance with the surrounding built environment and detrimental to the character of the locality. It would fail to comply with policies AH7 and AH2 of the Adur District Local Plan and Policy BE1 of the South East Plan.
2. Having regard to the size and shape of the site and its relationship to the adjacent land use and the approved scheme opposite the proposal would constitute excessive overdevelopment of a contrived layout and design. The development would be out of keeping with the residential and environmental character of the locality, contrary to policies of the Adur District Local Plan (AG1, AH2) and South East Plan BE1.

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

Case Officer: Hannah Barker Date: 25th July 2012

Authorised by: Jo Morin Date: 25 July 2012