exp 26/08

Development Control – Delegated Officer Report

Application Number: ADC/0247/09 Recommendation - REFUSE

Site: **Golden Sands & Mermaid Lodges Mental Disorder Care Home, 68/70 Brighton Road, Lancing BN15 8LW**

Proposal: **Proposed 6-bedroom three-storey side extension and single-storey front extension**

The Application

This pair of former semi-detached houses now comprise a care home for the mentally disordered, permission having been granted for the change of use in 2004 (L/13/04). The application referred to 10 residents and the present proposal would increase the number to 16. Although in one ownership, they have separate entrance halls and names.

The proposal is for:-

- a three-storey east side extension to No.70 measuring 11.1m deep and 6.8m wide, with an overall height of 10m as seen from the rear and 7.3m from the front (owing to it being built partly on the secondary sea defence embankment). It would have a pitch-roofed of matching roof tiles surrounding a flat roof, with the top floor partly within the roof (with front and rear dormers). The material would be matching brickwork for the lower storeys and render for the upper storey. It would provide 3 bedrooms each of the two upper floors and storage in the basement.

- a single-storey extension across the front of both No's 68 & 70 measuring 14.8m wide and 2.3m deep. It would have a lean-to roof of matching roof tiles and walls of matching brickwork. It would extend existing rooms (lounge, kitchen and entrance halls).

Consultations and Representations

West Sussex County Council: No objection as the proposal should not materially increase vehicular traffic at peak times.

Environment Agency: Objects and recommends refusal because the site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to PPS25, the applicant has not submitted a Flood Risk Assessment (FRA). In the absence of the latter, the flood risks associated with the proposal are unknown. Also comments that the proposal is located on a secondary sea defence and their consent is required for any works on it – any application to them would need to include calculations demonstrating the structural integrity of the defence would not be compromised.

Adur District Council: The Environmental Health Officer states that the front bedrooms would need to include additional attenuation and/or suitable ventilation to protect against the high level of traffic noise from the A259.

Lancing Parish Council: No objection.

Third Parties: 4 letters have been received from residents of No's 2, 4 & 5 The Herons, on the opposite side of the A259, and from the owners of the Golden Sands holiday caravan park.

The residents of the houses opposite object on grounds that the extension is so large it would block their view of the sea; that the existing building is out of keeping with its surroundings and in such a poor state as to be an eyesore and it should not be extended further; it would cause loss of light; it would add further traffic to the already congested A259 and cause safety risk; there is no need for the extension and a larger property should be acquired if it is too small; and loss of value to nearby properties.

The letter from the owners of the Golden Sands holiday caravan park states that the applicant has no right of way over their access road and queries how construction materials would be delivered without damaging this road and causing traffic issues, as also would traffic arising from occupation of the large 6-bedroom extension itself; insufficient parking provision; queries as to the materials given the existing variety; and queries about whether mentally handicapped people could be evacuated in the event of flooding.

Relevant Planning Polices and Guidance

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'
Revised West Sussex Parking Standards (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG24 'Planning and Noise' (DoE 1994)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

Policies

Policy AH10 of the Local Plan states that extensions to existing residential care homes will only be permitted where they comply fully with policy AH7 (extensions to dwellinghouses). AH7 states they should be designed so as not to result in an unacceptable degree of overlooking, a 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 area in general.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the

commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be acceptable.

Visual amenity

The proposed side extension is relatively large and would make what is already a prominent building, partly because of its elevated position above the sea defence embankment, more dominant. However, it adjoins the holiday caravan park and stands in relative isolation from other houses and permanent buildings. It would not result in an appearance of overdevelopment or conflict with the standards set out in DC Standard No.3 and it is not considered that refusal would be justified on grounds of unacceptable visual impact.

As regards the design of the side extension, normally it is desirable that extensions are designed to closely resemble the original building or previous extensions (as in this case on the western side of No.68). However, to achieve the floorspace required, this would appear to entail double ridges/gables with an intervening 'valley'. As seen when approaching from the east, this would appear visually unattractive. Consequently, it is considered that the submitted design is to be preferred. The lower eaves height of the proposal also helps to make it more subservient than would otherwise be the case.

The front extension would tidy up what is currently a somewhat haphazard collection of poor quality additions and be a distinct improvement.

Residential Amenity

The proposed east side extension is opposite the car wash site, not opposite dwellings. No's 4 & 5 The Herons are opposite the existing building, not the proposed extension, and No's 1-3 are further west.

The resident of No.5 refers to loss of light. However, given the intervening distance of 35m and the oblique angle, there is no justification.

With regard to loss of sea view, this is not a valid planning consideration. The extension is not close enough to cause an unacceptable effect of loss of outlook or overbearing effect to the houses on the opposite side of the A259.

Access and Parking

Unacceptable traffic generation is cited by residents and the caravan park owners. However, WSCC have no highway objection and it is not considered that a 6-bedroom extension to a care home would generate significant traffic

movements compared to the amount of traffic already using the access road (and certainly not compared to the heavy traffic flow on the A259 itself). The adopted maximum parking standard requires 7 car parking spaces for the proposed number of residents as compared to 5 spaces as existing. This increase of 2 maximum would apply in locations lacking public transport, unlike the present site which is on a bus route with a frequent service.

The owners of the caravan site deny any right of way over the private access road to serve the extension. However, this is a civil matter between the parties concerned. The existing premises already have garaging on the lower ground floor accessed from the rear and there is space for additional on-site parking.

Flood Risk

The most fundamental consideration is that the site is within a Zone 3A flood risk area as identified in the Worthing & Adur Strategic Flood Risk Assessment. Under PPS25 'Development and Flood Risk', a Flood Risk Assessment (FRA) is required. The issues to be addressed would not only include the floor level of the proposed extensions but also whether there is a dry safe means of escape were a flood event to occur. The applicant's agent was informed of the need for an FRA prior to submitting the application but has not submitted one and instead states in his 'Design & Access Statement', under 'Layout' that his client contacted the Environment Agency and was told that the alternative means of escape at the front was acceptable. However, the EA do not accept this.

The Environment Agency recommends refusal because the site is in Flood Zone 3 which is defined as having a high probability of flooding and, contrary to PPS25, the applicant has not submitted a Flood Risk Assessment (FRA). In the absence of the latter, the flood risks associated with the proposal are unknown.

Recommendation

REFUSE for the reason that:-

1. 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.

Case Officer... [redacted]

Date.....23/7/09...