Development Management - Delegated Officer Report

Application Number: AWDM/2056/21 Recommendation – Approve

Site: 212 Manor Hall Road, Southwick

Proposal: Erection of a detached two storey 2 bedroom house with 2no. car parking spaces

Date of site visit: 18 November 2021

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the land making up part of the garden of 212 Manor Hall Road, south of the existing semi-detached dwelling. The existing property fronts a private access road which also serves as the main access to the units making up the Chalex Industrial Estate.

The proposal is to demolish the existing detached garage which serves No.212 and erect a detached two-bedroom house.

Relevant Planning History

ADC/0019/07 - Detached three-bedroom house on south side with 2 parking spaces. Refused for the reasons:

The size and shape of the plot and its relationship to the existing properties and surrounding industrial area would not permit development of a standard compatible with existing development in the area and in consequence the proposal would constitute overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

The loss of off-street parking at no. 212 Manor Hall Road would generate additional parking on the adjacent private access road to the east, which would be detrimental to the visibility of vehicles emerging from the access to the proposed dwelling and the safety of road users, contrary to the policies of the West Sussex Structure Plan (DEV4-5) and the Adur District Local Plan (AT12).

ADC/0431/07 - New detached three bedroom house on south side with 2 parking spaces. Refused for the reason:

The size and shape of the plot and its relationship to the existing properties and surrounding industrial area would not permit development of a standard compatible with existing development in the area and in consequence the proposal would constitute overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of

the locality, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

Subsequent appeal was dismissed on grounds that the living conditions for future occupiers would be substandard due to noise from the industrial estate and the inadequate amenity space.

Consultations

West Sussex County Council: The Highways Authority has no objection. The access onto the application site is located on a Private Road. The nearest public maintained highway is Manor Hall Road. The LHA would view said road to be set within an urban setting and be low trafficked. The road is subject to a 30-mph speed limit. No current speed survey data is located within a reasonable distance of the access that would state otherwise. As a result, the Local Highways Authority (LHA) will refer to Manual for Streets (MfS) as guidance.

Vehicle Parking The applicant has demonstrated that the existing dwelling will benefit from 2 parking spaces and the proposed with 2 parking spaces. The LHA would anticipate that a maximum of 2 parking spaces could be displaced onto the private road network. Such a result would be considered an amenity issue to be considered by the LPA. To summarise the LHA raises no concerns over Vehicle Parking.

Cycle Parking The applicant has provided a provision for the proposed dwelling. However, the LHA notes that the proposal will result in the loss of the existing garage and with it the opportunity for cycle parking. As such the LHA requests that cycle parking to MfS and WSSC guidance is provided. Electric Vehicle (EV) Parking In the interests of sustainability and as a result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Horsham Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via a suitably worded condition.

Adur and Worthing Councils: Public Health: Noise This site is positioned adjacent to the Chalex Industrial Estate, with the entrance to the industrial estate running along the boundary of the proposed property. I have concerns related to noise from industrial processes, loading/unloading goods, external plant and also from vehicles including lorries regularly accessing this industrial estate. Recommend noise protection condition

Land Contamination This development site is situated in close proximity to land which has been identified as potentially contaminated. Recommend condition.

Dust and working hours conditions are also recommended.

Private Sector Housing: The internal layout of the house does not present any major concerns, but the applicant states that the property is 79.2 sq.m

and so meets the nationally described space standards for a 2b/4p 2-storey building. The development is however clearly labelled on the plan as a 3b/5p property and so the proposal falls well below the 93sq.m standard. It is suggested that the top floor be reconfigured to clearly delineate that there are only two bedrooms

Technical Services: Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds. Surface water drainage- the application form indicates that it is proposed to discharge surface water to sewer. The use of infiltration on site must be fully investigated. The hierarchy for sustainable drainage must be followed. We would like to see details of the proposals for surface water drainage prior to determination of the application

Southern Water: Standard comments

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 15, 18, 19, 22, 28, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The site lies within the built up area where a new dwelling is acceptable in principle subject to the effects on the amenities of neighbouring occupiers and the effect on the character and appearance of the area. The standard of residential amenity to be provided for the future occupiers of the new dwelling is also a material consideration here.

The provision of a new dwelling would also make a small contribution to the Council's delivery of housing which is currently not at the level required by the Government.

Visual amenity

The proposed dwelling would not be out of keeping with the mixed character of its residential and industrial surroundings. Its design has been amended to a fully hipped roof and it includes a projecting bay at the front, similar to that at 212.

Residential amenity - proposed occupiers

The main concern with previous applications has been with regard to the standard of living environment to be provided for the proposed occupiers. The proximity of the industrial estate has led to noise concerns while the amount of amenity space associated with the dwelling has been below the Council's standard.

The industrial estate is not subject to any restriction on hours of working and occupiers of the proposed dwelling, being in such close proximity to the industrial estate and its access, are likely to suffer undue noise and disturbance.

The Council's Environmental Health Officer has assessed the current application and is also concerned at the potential for noise disturbance but has recommended that a noise protection scheme can be secured by condition rather than require it pre-decision as has been the case previously. on this basis, it is not considered that a refusal of the application on noise grounds is justified this time.

The proposed dwelling has been amended from a 3 bed to a 2 bed with study/home office. At 79m2 it meets the National standard for a 2 bed 4 person house.

The amenity space to be provided measures approximately 55m2 which is less than the 85m2 required in DM Standard No.1. This shortfall has previously been a reason to refuse the application but it should be noted that there are comparably small gardens elsewhere, including at 210 Manor Hall Road (which comprises 2 flats) and 56 Shelldale Road. It should also be noted that the garden standard for a 2 bed terraced dwelling is 50m2, whereas this is a 2 bed detached dwelling.

While there is a shortfall, it is not considered that this would be sufficient reason alone to refuse the application as a satisfactory standard of accommodation would be provided overall.

Residential amenity - existing occupiers

The proposed dwelling would reduce the amount of garden space for the existing dwelling too, leaving that property with a rear garden area of around 50m2. For the reasons stated above, this is considered to be acceptable.

The proposed dwelling would be to the south of 212 and would impact on light to some extent on a number of windows within the southern elevation of 212. However, this has been previously assessed by the Inspector at the 2007 appeal and he concluded that:

"it would not be so close that it would block all sunlight and it seems to me that the windows in the side elevation either do not serve habitable rooms or are not such rooms' only source of light. Consequently, I consider the effect on sunlight would be acceptable."

Consequently, there are no strong concerns at the impact of this development on the amenities of 212.

The position of the proposed house means that it would not overlook the houses to the west and is sufficiently distant from the houses to the east to not adversely affect their amenities.

Parking and access

The plans show 2 parking spaces for both the existing and proposed dwellings. This is considered to be adequate in view of the sustainable location (being only 100m from Fishersgate Railway station). Cycle storage is also shown as being provided. There are no highway concerns.

Sustainability

The applicant's agent has provided a sustainability statement which states that the new dwelling should achieve a 'C' rating Energy Performance Certificate and will include water saving measures to meet the maximum 110litres pppd requirement of Policy 18. An EV charging point will also be provided.

Drainage

The applicants have confirmed that surface water is to be drained via a soakaway. Full details can be secured by condition.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles of BS 4142:2014+A1:2019, the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise
4. Contaminated land
5. CMP

6. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.
7. 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 always thereafter be kept for their designated purpose
8. 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 to be submitted to and approved by the Local Planning Authority.
9. No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
10. Materials
11. Removal of PD
12. To be in accordance with Sustainability Statement and Additional Sustainability Statement
13. Drainage

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 6 January 2022

Authorised by: Gary Peck Date: 10 January 2022