# Development Control – Delegated Officer Report

**Application Number:** **AWDM/0213/17**

**Recommendation – APPROVE Conditionally**

**Site:** **56 The Green, Southwick**

**Proposal:** **Application for Variation of Condition 2 (approved plans) of previous planning approval AWDM/1727/15. Amendments: increase size of 4 no. rooflights and changed configuration of ground floor side door and window (north elevation); insertion of new 600mm round front window (west elevation); enlarge ground floor window (east elevation)**

Neighbours checked: Y
Additional neighbour notifications: /N

## Proposal, Site and Surroundings

No. 56 is a two-storey semi-detached dwelling with pitched front gabled mock-Tudor frontage and distinguished chimney. It has a flat roof extension off the rear. To its side is a free standing single storey garage. The area in front of this is put over to parking. The front boundary is demarked by a combination of low rise fence and brick wall, covered by ivy. Between the house and the highway is a wide verge. It means the site is accessed via a private drive.

A holly tree exists at the front. Trees in the rear are protected under Preservation Order.

It is situated in *Area 4: The Green* of the Southwick Conservation Area, as identified in Southwick Conservation Area Character Appraisal and Management Strategy.

The proposal is for amendments to a previously approved detached two-storey 4 bed dwellinghouse scheme to the immediate north of No. 56. These involve increasing the size of 4 no. rooflights and changing the configuration of ground floor side door and window (north elevation); insertion of new 600mm round front window (west elevation); enlarging ground floor window (east elevation).

Additional detail of exterior materials and finishes to be used in the development, tree survey and report, and drainage details have been submitted, to avoid these details being reserved by condition.

## Relevant Planning History

AWDM/1727/15
New detached four bedroom dwelling to north of No. 56 with shared access and parking
Approved Conditionally 23-03-2016

## Consultations (summarised)

**Adur District Conservation Advisory Group:** *Approval*

***Adur & Worthing Councils Senior Tree and Landscape Officer:*** *Looked at the plans and no concerns about the tree protection.*

***Adur & Worthing Councils Drainage Engineer:*** *Nothing on the list of proposed amendments would significantly affect surface water drainage, and the information provided for the soakaways is adequate. I would prefer to see two soak-away units used if that is possible.*

**Representations**
Address not given: *Objection. The original plan shows a very adequate size window. This window will overlook our garden and we will lose privacy without it being unnecessarily oversized. It's a large unnecessary intrusion. As this is a complete new build property we will already have to get used to being overlooked and all the extra noise that comes with a four bed property.*

**Relevant Planning Policies and Guidance**
National Planning Policy Framework
Saved Adur Local Plan: AG1, AB3, AB4, AH2, AP4
Southwick Conservation Area Character Appraisal and Management Strategy
Submission Adur Local Plan: 2, 15, 17, 21, 23, 29, 31, 37

**Planning Assessment**

***Principle***

The principle of the proposal was accepted in the earlier approval (AWDM/1727/15 refers) subject to satisfying the statutory test for new development in a Conservation Area.

***Heritage Assets and visual amenity***

The siting, design, form and scale and context of the new dwelling in the surrounding built environment was judged acceptably sympathetic in the earlier planning approval. It was additionally judged to respond positively to the qualities of the Conservation Area identified in the Council's adopted appraisal, so satisfied the statutory test for new development in a Conservation Area.

This continues to be case – the suggested amendments are limited to slight variations of the design of fenestration on the building, which are sympathetic to the design of the new building. This includes the new circular first floor window and slightly enlarged other windows. The roof lights now being pursued are less traditional 'metal box' and more conventional if not modern roof lights, which is disappointing – especially their size and extent of glazing. However, new development facing Southwick Green does exhibit modern roof lights on its front elevation, which is an equally sensitive (if not greater) location. The new roof lights would not project significantly beyond the roof slope, and are on the side of the building set some distance from the street scene in terms of visibility.

The previous planning approval was subject to a condition, reserving the choice of external materials/finishes. Brick and tile samples have now been submitted and are sympathetic to the surrounding built environment. Accordingly, there is no need to re-impose this condition.

***Residential amenities - future occupiers***

Future occupiers would continue to benefit from satisfactory living conditions. The suggested amendments improve conditions further by adding more light and outlook to the habitable layout of the dwelling. The garden provided for the new dwelling and the existing one would accommodate family needs, and remain unchanged.

***Protected Trees***

Trees at the rear are preserved by Order. The proposed building would continue to not intrude into the Root Protection Zone so their health and longevity would not be materially harmed. The existing tree at the front would be lost. However a replacement specimen compensates against its loss.

The previous approval was subject to a condition reserving tree protection measures and siting of construction materials. An aboriculturist report has been submitted in this application and the Council's tree Officer is satisfied with the detail that the health and longevity of the trees would not be harmed – accordingly there is no need to re-impose this condition.

***Residential amenities - neighbours***

As before, the neighbours principally impacted upon by this proposal are those occupiers of the flats to the north and the neighbour to the south (it is physically removed from the remainder so as to avoid harm arising).

The proposed south elevation is unchanged, so there would be no differing impact to the neighbour to south (No. 56) compared to what would result from the previous approval.

The neighbours to the north (1-15 Hope Cottages) occupy a block of flats. Principal habitable rooms face south, onto the application site. The layout of the flats mean certain occupiers are dependent upon southerly aspect for both bedroom and living space. The proximity of the built form of the new dwellinghouse building was previously deemed acceptable and, in the absence of a material change in site circumstance since, it remains that the resultant overbearing and overshadowing would not be unacceptable.

The rooflights are larger than the ones previously approved as conventional velux products are now proposed compared to traditional 'box' lights. This would enable greater views to the flats to the north. However, the habitable spaces of the flats already lack a level of privacy as these can be overlooked from users of the garden of No. 56. This inter-visibility relationship would continue not to result in window-to-window intrusive overlooking, with unacceptable loss of privacy negated. However whilst not unacceptable, given the level of overlooking has reached its maximum in the rooflights

currently shown, the Council does not foresee any potential for further glazing to this roofslope without harm arising onto the neighbours' living conditions.

***Drainage***

In the earlier application, no objection was raised by the Council's Engineers on flood/drainage issues as the site was identified at lowest flood risk category. However, the area has experienced localised surface water flood events in the recent past, and the suitability of the site to accommodate soakaways was queried – a condition was imposed because of this uncertainty.

In this application, evidence has been submitted demonstrating the site is capable of accommodating soakaways to sufficient capacity to satisfy the Council's Engineers. With this evidence, there is no requirement to re-impose the condition.

***Parking and accessibility***

Both the existing and new dwellings would be provided 1 car space each, in a shared turning space at the front of both buildings. This arrangement was judged satisfactory in the previous approval. It is unchanged in this current application. There is ample space on site for cycle provision without reliance on a condition to secure this.

This current application is supported by a plan that shows all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles could enter and exit the site in forward gear and accommodated within the site without hindrance to the safe operation of the highway. Accordingly, there is no need to re-impose pre-commencement conditions on this current application.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans
2. Standard time limit
3. No development, including site works of any description, shall take place unless in strict accordance with approved Drawing No. 1540/PL.03 Rev C titled 'Proposed Site Set Up Plan' and Report titled 'Arboricultural survey, tree protection plan and method statement' by Ben Larkham Associates Ltd.

   Reason*:* In the interests of road safety during construction and to protect the trees either preserved by Order or otherwise from damage to their health and longevity in the interests of visual amenity and the special qualities of the Conservation Area to comply with Adur Saved Local Plan policies AB3, AB4 and Submission Local Plan policies 29 and 31.

4. The development hereby approved shall be completed out in:-
   i) Freshfield Lane First Quality Multi facing brick

ii) Brookhurst Sandfaced Old English Red roof tiles
iii) Velux roof windows 78 x 140 MK08 in black finish with glazing bar and recessed flashing

Reason*:* In the interests of visual amenity and the special qualities of the Conservation Area to comply with saved policies AH2, AB3 and AB4 of the Adur District Local Plan and Submission Local Plan policies 15 and 17.

*5.* The development hereby approved shall be completed out in accordance with the drainage works approved in Report by Construction Design Partnership titled SITE DRAINAGE with two soak-away units used.

Reason: To ensure that the proposed development is adequately drained to avoid material exacerbation of flood risk and comply with Adur Saved Local Plan policy AP4 and Submission Local Plan policy 37.

6. No occupation of the dwellinghouse hereby approved shall occur until site boundary walls and/or fences have been erected in accordance with the approved plans. Thereafter they shall be retained permanently.

Reason: In the interests of amenity and to comply with saved policy AH2 of the Adur Local Plan and Submission Local Plan policy 15.

7. No occupation of the dwellinghouse hereby approved shall occur until the parking spaces and access and turning facilities have been provided on site in accordance with approved plans. The areas of land so provided shall not thereafter be used for any purpose.

Reason*:* In the interests of amenity and highway safety to ensure vehicles exit the site in forward gear and to avoid harmful exacerbation of parking on street, having regard to Submission Local Plan policy 29 and National Planning Policy Framework

8. No occupation of the dwellinghouse hereby approved shall occur until an upright Hawthorn (Crataegus monogyna Stricta) of 10-12 cm Girth in minimum 50ltr container or equivalent, has been planted on site in accordance with the approved plans. In the event the tree dies or becomes seriously damaged or diseased within a period of five years following planting it shall be replaced in the next planting season with another of similar size and species unless the local planning authority gives written consent to any variation.

Reason: In the interests of amenity as mitigation of the harm to the special qualities of the Conservation Area that would arise from the loss of Holly tree to comply with Adur Saved Local Plan policies AB3, AB4 and Submission Local Plan Policy 31.

9. The first floor windows in the south elevation of the dwellinghouse hereby permitted shall at all times be glazed with obscured glass and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and shall not subsequently be altered in any way.

Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan and Submission Local Plan policy 15.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the dwellinghouse building hereby approved shall not be extended or altered or any incidental building over 5 cubic metres in volume erected within its curtilage.

    Reason: In the interests of amenity including safeguarding the living conditions of neighbours and the special qualities of the Conservation Area having regard to saved policies AH2, AB3 and AB4 of the Adur District Local Plan and Submission Local Plan policy 15

11. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed at first floor in either side elevations without the prior approval of the local planning authority.

    Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan and Submission Local Plan policy 15.

**Informative:**

*I) 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 signed: Matthew Porter Date: 12-4-2017

Authorised and signed by: Peter Barnett Date: 12 April 2017