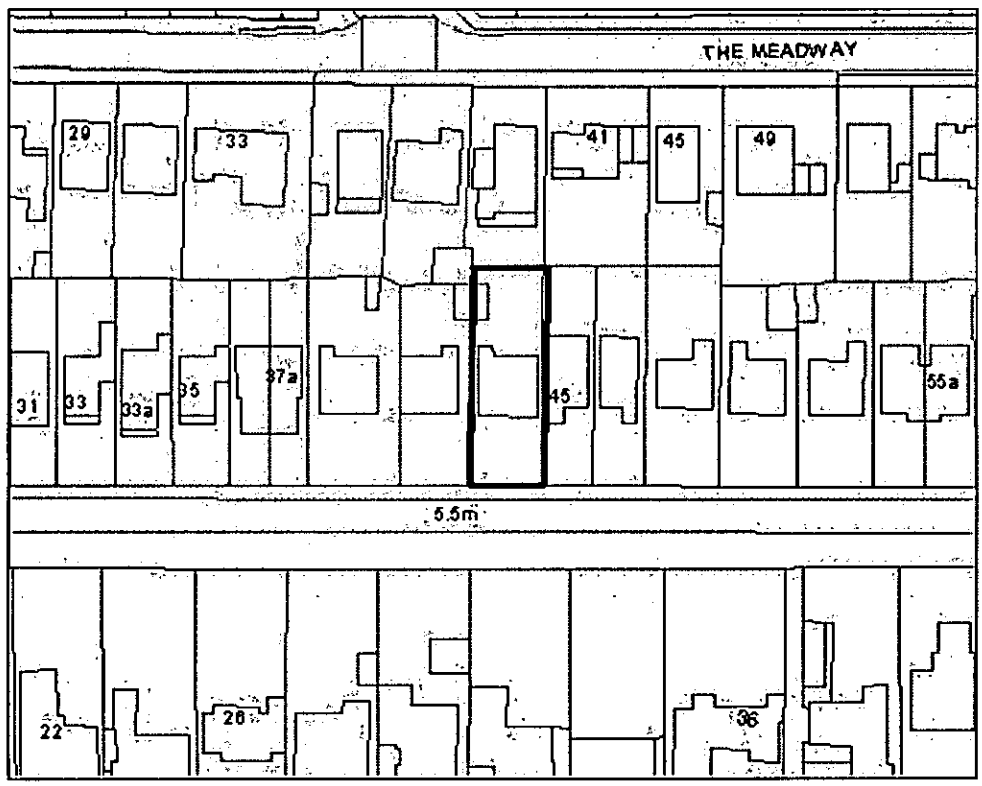
Application Number: AWDM/0827/11 Recommendation – APPROVE

Site: 43 Old Fort Road, Shoreham-by-Sea BN43 5RL

Proposal: Demolition of chalet bungalow and erection of 2 semi-detached two-storey flat-roofed three-bedroom houses with parking at front



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The Application

The application site lies on the north side of Old Fort Road and currently contains a chalet bungalow. It is proposed to demolish the existing building and construct a pair of 2-storey, flat-roofed semi-detached 3-bedroom houses with parking for 2 cars per property at the front. The application follows the withdrawal of a previous application for a pair of larger 3-storey houses (ADC/0356/10).

The neighbouring properties consist of a bungalow with rooms in the roof to the west and a chalet-style dwelling with a steeper roof pitch on the eastern side. There are larger two-storey houses opposite (south) and further bungalows and chalet bungalows to the rear (north) in The Meadway. There is a diverse range of building forms and materials in Old Fort Road. The replacement of one property with two or three properties has been carried out elsewhere in the road, including at No's 33, 33a, 35 and 37.

The proposed dwellings are contemporary in style with a square form. They will measure 10m wide overall, 13m deep and 5.5m high. At the front the ground floor will project forward of the upper floor 2m, enabling a front balcony to be formed with a

timber canopy and glass balustrade. Aluminium bi-fold doors are proposed to the ground and first floors at the front, with a hedge screen in front separating the houses from the parking spaces at the front of the site. The buildings will be rendered on the ground floor with timber cladding on the upper floor. They will have the main living accommodation (kitchen and living room) on the first floor with bedrooms and bathrooms on the ground floor.

Consultations and Representations

West Sussex County Council: The Transport Planning Officer has no objection. From an inspection of the submitted information, he would not raise any safety concerns regarding the layout. The amount of parking would also be expected to meet the demand of the new dwellings.

Adur and Worthing Councils: The Environmental Health Officer has no objection. A precautionary condition regarding contaminated land is recommended.

Third Parties: 3 letters received from the residents of No's 45 and 47 Old Fort Road and No.39 The Meadway, whilst observing the proposal is an improvement on the previous application, raise the following objections:-

- Side screens to balconies will cause loss of light to the first-floor lounge of No.45 and balconies of No's 45 and 47 – it would be better if they were glazed rather than solid, or removed altogether;
- First-floor side windows should be at least 1.7m above floor level and obscure glazed to prevent overlooking;
- Increased traffic and inadequate parking will lead to further pressure on Old Fort Road;
- Front garden will resemble a car park and be unsightly;
- Parking bays will be hidden from pedestrians and could result in risk to pedestrian safety;
- Loss of light and increased overlooking to bungalow at rear (No.39 The Meadway), the owner claiming a right to light under common law and the Prescription Act 1832;
- No tree survey has been carried out;
- Overbearing development.

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SCT1, SCT5-6, SP3, CC6-7, H1-2, H5, BE1-2
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising:-
Development Control Standard No.2 'Space Around New Dwellings and Flats'
'Good Practice Guidance Note: Internal Space Standards for New Homes' (ADC 2010)
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003, amended 2010)
'The Provision of Service Infrastructure related to New Development in West Sussex – Part 1' (WSCC 1999)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006, amended 2010)
PPG13 'Transport' (DTLR 2001, amended 2011)

Planning Assessment

Policies

The site is located within a residential part of the built-up area and is not identified or allocated for any particular use or development in the Local Plan. Residential infilling and redevelopment of unidentified sites, as in this case, is needed in order to meet the Council's 5 year housing land supply required by PPS3 and the housing requirements of the South East Plan. Priority is given to use of previously-developed land.

Local Plan housing policies AH2 and AH5 have been 'saved' and encourage redevelopment to help meet the demand for dwellinghouses suitable for small families, single persons, the elderly, and to make best use of urban land.
AH2 relates to new residential development (by way of infilling and redevelopment) and states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density, layout of buildings and hardsurfaced areas; they do not have an unneighbourly effect due to loss of privacy; daylight/sunlight; outlook or open space, incorporating adequate standards of residential amenity for the new dwellings in terms of amenity space, daylight, outlook and privacy; access and parking provision meets the adopted standards; and they accord with the Council's DC Standard No.2 'Space around New Dwellings and Flats'. Also of note is the Council's 'Good Practice Guidance Note: Internal Space Standard for New Homes'.

The South East Plan sets out the long term spatial planning framework for the region with the aim of achieving more sustainable development, protecting the environment and combating climate change. Policy SCT1 gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality, its cultural and historic assets and promoting excellence in design of new developments in recognition of their importance to economic success and quality of life. Policy SP3 seeks to achieve at least 60% of all new developments on previously developed land and through conversions of existing buildings. Developments in urban areas, including infill, should be well designed and consistent with the principles of urban renaissance and sustainable development. Policy CC6 requires development to respect, and where appropriate enhance, the character and distinctiveness of settlements and landscapes throughout the region, and to use innovative design processes to create a high quality built environment which promotes a sense of place.

SCT5 & H1 set housing targets for the Sussex coast sub-regional area and Adur for 2006-2026. These targets are to be met by focusing development in existing towns, by optimising the use of previously developed land. H5 aims to raise the quality, adaptability and sustainability of new housing and at higher densities (overall regional target 40 dwellings per hectare). T4 states that Local Development Documents should apply guidance on parking standards for housing in line with PPS3, reflecting local circumstances, and ensure sufficient and secure cycle parking for new flats and houses. BE1, entitled management for an urban renaissance, states that opportunities will be taken to improve the built environment, including by promoting design solutions relevant to their context and building upon local character and by supporting opportunities for appropriate higher density and mixed use development schemes. BE2 states that Local Development Frameworks should identify areas where suburban intensification could assist wider planning objectives subject to providing clear planning and design guidance based on local character appraisal.

Government policy guidance in PPS3 encourages best use of urban land for housing development and a mixture of types to create a balanced community, at higher densities (although the requirement to avoid developments at less than 30 dwellings per hectare has now been deleted) and without rigid application of parking and amenity space standards. However, it also seeks to improve the quality and attractiveness of residential areas and urges imaginative designs and layouts which make more efficient and sustainable use of land without compromising the quality of the environment. PPS1 states *"Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted."*

PPS3 states that Councils "*should develop a shared vision with their local communities of the types of residential developments they wish to see and develop design policies that set out the quality of development that will be expected for the local area, aimed at:-*

- *creating places, streets and spaces which meet the needs of people, are visually attractive, safe accessible, functional, inclusive, have their own distinct identity and maintain and improve the local character.*
- *Promoting designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes."*

PPS3 also states that Councils should "*facilitate good design by identifying the distinctive features that define the character of a particular local area..... ...Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric... .....successful intensification need not mean high rise development or low quality accommodation with inappropriate space.....The density of existing development should not dictate that of new housing by stifling change or requiring a replication of existing style of form.....If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment."*

Visual amenity and character

The plot is 12.3m wide and 36m deep. While of the same depth as adjoining plots, the width of each individual plot is narrower (at 6.15m) than the redeveloped plots to the west (typically 9.5m wide) and at No.37 (6.5m wide). The design of the building is also markedly different from those properties on either side being of a square cube-shape rather than pitch-roofed. However, the new dwellings will sit between properties with two differing roof styles; to the east there are steeply pitched roofs and, to the west, shallower pitched roofs. In view of the variety of styles in the road as a whole, which includes some contemporary flat-roofed houses, it is not considered that this particular contemporary proposal will appear out of keeping.

A 1m distance will be retained to each side boundary, with an overall distance of 3m to No.41 which will help to provide a sense of space. To the east, No.45 is much closer to the boundary and there will be a closing of the space that currently exists as a result of the two-storey 'cube' form of the new dwellings, as opposed to the hipped roof which exists. Nevertheless, it is not considered that the development will overly appear cramped in the street scene due to the modest height of the proposed dwellings.

Residential amenity

The dwellings will be two storeys and 5.5m height. This is lower than the previous proposal which rose to 7.5m at the rear. It is also far less bulky and with a simpler form. To the east, No.45 has a dormer and roof window in the roofslope which faces the site. These areas will lose some light as a result of the built form being brought closer to the boundary at first-floor level but the rooflight is a secondary window to the first-floor lounge which is also served by patio doors at the front, while the dormer serves a WC only. Consequently, it is not considered that the proposal will have an adverse impact on light or outlook to No.45.

To the west, No. 41 is similar to No.43 but has a conservatory across the front and two rooflights on the east roofslope facing the site. There are also three windows on the ground floor on the east side, one of which is obscure glazed. There will be some loss of light to these windows as a result of the increased height of the built form to the east. However, the retention of a 3m separation between the buildings and the relatively low height of the proposed building will ensure that any light loss will not be sufficiently serious to justify a refusal on this ground.

At the rear, No.39 The Meadway is a bungalow, the nearest part of which (a rear conservatory) is approximately 19m from the rear wall of the proposed dwellings. While this is less then the 22m recommended in the DC Standard, this figure is usually required in order to prevent overlooking between dwellings. In this case, the rear-facing windows of the dwellings at first floor will serve kitchens and will be high level, 1.8m above the floor level, to prevent any views to the north towards The Meadway. Overlooking of dwellings to the east and west will also be avoided by high-level windows at first floor.

The proposed dwellings will not project as far into the site as No's 45 and 47 to the east and, at only 5.5m tall, they will not result in unacceptable loss of daylight to the rear garden and conservatory of No.39 The Meadway. That property is already partly shaded by vegetation on the boundary within the site which may be removed as part of the redevelopment. The proposed dwellings will be 12m from the rear boundary. No.39 owner's claim to a right of light under common law (and the Prescription Act 1832) is not a planning matter but a civil matter between the landowners involved which he could attempt to pursue privately whether or not planning permission is granted.

Front balconies are not uncommon in this road, with No's 45 and 47 both having unscreened balconies, as does the existing bungalow at No.43. Amended plans have been received replacing the originally proposed timber screen with obscure glazing which will help to ensure more light reaches the adjoining properties' balconies while still maintaining some privacy.

Access and Parking

The existing garage serving the bungalow at No.43 is to be demolished and four parking spaces are to be provided at the front of the site, at a ratio of two per dwelling. WSCC has no objection to this arrangement on highway safety grounds and the amount of parking is expected to be sufficient to meet the demand of the new dwellings. A condition is recommended to control the details of new boundary walls/fences.

While the existing front hedge is to be removed, the existing frontage is already hard surfaced and the proposed parking spaces will not result in an increase in hardsurfacing. It will be broken up by new hedge planting/ screening, full details of which can be controlled by condition, and it is not considered that the parking of four

vehicles in front of the dwellings will be unduly harmful to the street scene. There are other examples in Old Fort Road of such an arrangement.

Recommendation

APPROVE for reason that:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AH5) and the South East Plan (SCT1, SCT5, SP3, CC6, H1-2, H5, BE1-2)

Subject to:-

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls/fences)
3. C8Biv (Parking spaces to be provided and retained)
4. C9N (Temporary provision for contractor's vehicles)
5. C11A3 (Landscaping scheme to be submitted and implemented)
6. C12Aii (Samples of external materials to be submitted)
7. The upper floor windows in the east, west and north elevations shall be at least 1.8m above the floor of the room in which they are installed and shall be obscure glazed in perpetuity.
8. C18B (PD rights removed for extensions and any outbuildings over 10 cubic metres) (amended)
9. C18E3 (No further window openings to be installed in east, west or north elevations) (amended)
10. The development hereby permitted shall be carried out in accordance with the following amended plan received on 7 December 2011:-
    Dwg-01 (Proposed Plans, Elevations, Location Plan and Block Plan)

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