Development Management – Delegated Officer Report

Application Number: AWDM/0115/24 Recommendation: Approve

Site: 77 Freshbrook Road, Lancing

Proposal: Erection of 1 no. attached two storey dwelling

Date of Site Visit: 23 February 2024

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application relates to an end of terrace dwelling which fronts The Paddocks. It has a large side garden which appears to have been recently cleared of trees and vegetation. The end of 79 Freshbrook Road faces the site to the north of the garden/site. The front of Nos 65-71 Freshbrook Road face the site to the west.

It was originally proposed to construct a detached house in the garden but, following objections from Officers, an attached 2 bed dwelling to continue the terrace is now proposed.

It measures 5.15m wide, 9.24m deep and 7.4m high. It will be slightly wider than the attached house (No. 77) which measures 4.8m wide. It will match the attached house in other respects, including window and door alignment and use of materials. A 3m wide crossover is proposed to serve a hardstanding/parking area at the side.

The house will have a floor area of 79.6m2 and a rear garden area of 67.3m2.

Planning History:

None

Consultations:

West Sussex County Council: The Highways Authority Access and Visibility
The applicant proposes a new 3.4m wide access point on The Paddocks. From inspection of WSCC mapping, there are no apparent visibility concerns with the proposed point of access on to The Paddocks. The proposed access works will be subject to a licence obtained through the local Highway Area Office, and constructed to a specification agreed with the local Highway Area Engineer.

Parking and Turning

One car parking space is proposed to serve the dwelling. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require two car parking spaces – therefore, any overspill parking would have to be accommodated on-street. The LHA does not anticipate that the shortfall of one parking space would give rise to a highway safety concern or parking capacity issue, but the LPA may wish to consider the potential amenity impacts.

On-site turning does not appear achievable, so vehicles may have to exit the site in a reverse gear. However, this is not anticipated to give rise to an adverse highway safety impact in this location. Neighbouring properties operate similar access arrangements with no known highway safety concerns.

Sustainability

The site is situated in a sustainable location in Lancing within walking/cycle distance of local services, amenities and public transport connections. Cycling is a viable option in the area, and the applicant has demonstrated a secure cycle store to the rear of the site, in accordance with WSCC Parking Standards

Comments on amended plans: From inspection of the amended plans, the changes appear relatively minor from a highway safety point of view. The proposals are now for an attached dwelling, with a new 3m wide vehicle crossover. Parking layout appears to be mostly unchanged from the previous design. Therefore, advice relating to access, parking and sustainability made previously by the LHA would still be considered valid, and the LPA are advised to refer to the previous response, dated 13/02/2024, for relevant comments.

Adur and Worthing Councils: Public Health: No adverse comments

Private Sector Housing: No objections

Drainage: We have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application with the below conditions attached. However, we also note that the site's discharge rates should be as close as reasonably practicable to greenfield

Southern Water: Standard advice

Environment Agency: We have no objection to the proposal subject to condition

Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment and plans (ref: XX-HML-XX-XX-RP-M-140001, 77 Freshbrook Road, Lancing BN15 8DE. Flood Risk Assessment- Prepared by Hilson Moran, dated 18/12/2023) and the following mitigation measures it details:

- Sleeping accommodation is to be located on the first floor of the property, not the ground floor.
- Finished Floor Levels are to be no less than 5.91m AOD.
- Flood resilient construction of the dwelling must be up to 600mm.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

UK Power Networks: The proposed development is in close proximity to our substation and have the following observations to make:
If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.
A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying. Advice offered.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 18, 19, 20, 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 (December 2023)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The construction of a new dwelling within the built up area is acceptable in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the area and parking/highway safety considerations.

Housing Delivery

The Adur Local Plan was adopted on 14th December 2017. Policy 3 sets out the Housing supply over the period 2011-2032 and gives a total figure of 3718 (an annual target of 177 dwellings per annum).

Paragraph 76 of the NPPF 2023 states:
"Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:
a) their adopted plan is less than five years old; and
b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded".

Paragraph 77 goes on to state:
"In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply (those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need). The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).

The five year housing land supply position for the Adur Local Plan area, measured against the 2023 Standard Methodology figure for Adur of 448 dwellings per annum, and incorporating a 20% buffer as a result of the Housing Delivery Test 2022 measurement for Adur, demonstrates a 3.5 year supply of deliverable land as at 1st April 2023. (The Housing Delivery Test 2022, published December 2023, indicates that Adur delivered 72% of its requirement, and so a 20% buffer has been applied.)

Visual amenity and character

The proposed dwelling would sit on the end of the terrace and would extend the terrace westwards. Its form and size would be in character with the rest of the terrace. It is considered that it would be a modest extension to the terrace which would be in keeping with the street scene and would not result in visual harm.

Residential amenity - future occupiers

The house is shown as having 2 double bedrooms with a floor area of 79.6m2, which meets the minimum standard of 79m2. Internally, the bathroom in the new house was originally shown as being alongside a bedroom in the attached dwelling which could have led to noise issues. An amended plan has been received which swaps the bedroom and bathroom to reduce this risk.

Externally, 67m2 of garden area is shown as being provided for the new dwelling, with 35m2 retained for the host dwelling. This is comparable with other dwellings in the area.

A number of windows in the side of the existing dwelling are to be blocked up as a result of the proposal, but adequate light and ventilation will continue to serve all rooms in the house.

Residential amenity - neighbouring properties

Being at the end of a terrace and separated from other neighbouring properties, the proposed dwelling will not have a harmful impact on neighbouring residential amenity. To the north, houses opposite are on the other side of the road, with the blank side wall facing the site and will not be adversely affected. Any overlooking from first floor windows is not likely to any more intrusive than that caused by windows in the existing terrace.

To the south, 79 Freshbrook Road has its side wall facing the site. There is a ground floor door and window in the side elevation of 79, with first floor windows positioned to the western edge of the elevation, not in line with the proposed dwelling. Consequently, while there will be a distance of just 8.5m between the dwellings (short of the 14m recommended in the DM Standard), no window will be directly affected so light and outlook is not considered to be adversely affected as a result of this proposal. It is noted that the previous trees on the site were tall and likely to have obscured light and outlook to a greater extent.

The only rear window at first floor will be an obscure glazed bathroom window which will face onto the blank end of No.79. Arguably, more overlooking occurs from the existing windows at No. 77.

To the west, the side windows of the new house were originally shown as facing towards the front of 69-71 Freshbrook Road at a distance of 13m which could have led to overlooking. Following the receipt of amended plans, the bedroom has been moved over to swap position with the bathroom, resulting in the removal of the first floor side window to protect privacy. A bedroom window has been introduced at the rear but this will face towards the blank wall of the side gable of 79 Freshbrook Road and should not lead to a loss of privacy.

Parking and access

The plans show an off -street parking space is to be provided for the new dwelling. The local highway authority has not raised any concerns with the proposed position of the access and, while a dwelling of this size and location would usually require two car parking spaces, they do not anticipate that the shortfall of one parking space would lead to a highway safety concern or parking capacity issue in this location. Cycle parking storage is also shown to be provided.

The property is small (2 bedrooms only) and the level of traffic and parking demand associated with it is not expected to result in serious problems locally. It is not considered that a highway reason for refusal can be sustained.

A construction management plan is to be required, by condition, to ensure that the impact from contractors' vehicles, etc is minimised during the construction phase.

Sustainability and energy efficiency

No formal details of sustainability or energy efficiency measures have been submitted although it is understood that PV panels may be used. Final details can be secured by condition.

Drainage and Flood Risk

The site lies within Flood Zone 3(a) and is at risk of flooding. A FRA has been submitted and the Environment Agency is satisfied provided no sleeping accommodation is provided at ground floor level, among other conditions.

There are no surface water drainage concerns with the proposal.

Conclusion

This proposal will provide a small dwelling and will make a modest contribution towards meeting local housing delivery targets. For the reasons set out in the report, there is not considered to be sufficient harm to justify refusal of the application.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials to match existing
4. Removal of PD
5. Cycle parking
6. Car parking
7. The development shall be carried out in accordance with the submitted Flood Risk Assessment and plans (ref: XX-HML-XX-XX-RP-M-140001, 77 Freshbrook Road, Lancing BN15 8DE. Flood Risk Assessment- Prepared by Hilson Moran, dated 18/12/2023) and the following mitigation measures it details:
   - Sleeping accommodation is to be located on the first floor of the property, not the ground floor.
   - Finished First Floor Levels are to be no less than 5.91m AOD.
   - Flood resilient construction of the dwelling must be up to 600mm.

   These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development
8. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) and follow the hierarchy of preference in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE

DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

9. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
   I. a timetable for its implementation.
   II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
   III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company
10. CMP
11. Working hours
12. Sustainability
13. Obscure glaze bathroom window

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.

Crossover

Case Officer: Peter Barnett Date: 30 April 2024

Authorised by: Gary Peck Date: 30 April 2024