DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: Thatch Cottage WB/11/0042/FULL

DATE OF SITE VISIT: 13.03.2011

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

This application relates to the western half of the curtilage of Thatch Cottage, a Grade II Listed Building, on the south side of Pond Lane just west of its junction with Durrington Lane (maximum 27m wide and 22m deep). Opposite (north) is Durrington Farmhouse to the rear of which are two detached houses dating from the mid-1980s. To the west of this is the entrance and parking area serving the playing fields to the north and Sea Scout Hall on the western side of this entrance. At the far western end of Pond Lane is a vehicle repair and hire depot. To the south of the site is Birkdale Close, a cul-de-sac of traditional single-storey bungalows.

Planning permission is sought for the demolition of the existing detached garage on the site and the construction of 2 no. two-storey semi-detached houses and associated parking and outbuildings. The new dwellings would be positioned on the western part of the site, with timber-clad outbuildings on the south side and timber-clad 'car barn' building on the eastern side, forming an inward facing horseshoe group of buildings. The pair of houses would be 13.7 metres in width with an overall height of approximately 7.3 metres to the ridge. They would be 6.2 metres deep with an extended footprint for part of the ground floor to give a staggered rear wall extending a further 3 metres. The accommodation would comprise an entrance hall (with wc) leading to a lounge/dining room and separate kitchen at the rear at ground floor level and with stairs leading to two bedrooms and a bathroom at first floor level. Externally, the houses would be constructed in flint with brick quoin detail, timber windows, beneath a plain tile roof with brick chimneys to each end of the building.

On the eastern part of the site, the 'car barn' structure would provide parking for two vehicles with two additional open parking bays to the south of this building. It would measure 6.7 metres in length and 5 metres in depth with a ridge height of 4.36 metres and would be finished in timber cladding and a plain tile roof. The parking/courtyard area is proposed to be surfaced using a 'granular material on a landscaping fabric'.

The application is accompanied by Design & Access Statement and a Flood Risk Assessment by GTA Civils Ltd.

RELEVANT PLANNING HISTORY

In September 2008 an application for development of the garden land to the west of Thatch Cottage with 2 two storey semi detached dwellings was refused for the following reasons (WB/08/0799/FULL refers):

1. The poor layout of the site together with the architectural composition of the proposed dwellings in terms of design, materials, siting, height, plot coverage, scale and proportion resulting in the over-development of the site, would fail to preserve or enhance the setting of the Grade II Listed Building, and would detract from the character and quality of the built environment. In detracting from the appearance of the Listed Building the proposed development would, in the long term, jeopardise its preservation by reducing the value and viability of the Listed Thatch Cottage. As such the proposal is contrary to saved West Sussex Structure Plan Policies CH5 and ERA1 and saved Local Plan Policy BE1.

2. The proposed dwellings by reason of their scale, height orientation and position within close proximity to the southern boundary of the site would result in an unduly dominant and overbearing effect and would result in a potential for increased noise and disturbance detrimental to the residential amenity of existing and future occupiers of neighbouring properties. The proposal would therefore be contrary to saved Local Plan Policies BE1, H16 and H18 and saved West Sussex Structure Plan policy DEV1.

3. In the absence of a Flood Risk Assessment the Local Planning Authority is not satisfied that the site can be developed without harm to the future occupiers or the neighbouring properties from the increased risk of flooding.

This followed refusal of an earlier scheme in March 2008 for the construction of 2 two storey detached dwellings (WB/08/0027/FULL)

A subsequent application (identical in scale, amount, siting, form and appearance) to the current application was withdrawn in November last year owing to the absence of a Flood Risk Assessment to address the earlier reason for refusal (WB/10/0759/FULL).

RELEVANT PLANNING POLICIES

Saved Local Plan policies: BE1, H18, RES7, RES12, TR9
South East Plan: Policies CC1, CC2, CC4, CC6, H1, H2, H4, H5, BE1, BE2, BE6, NRM4
Submission Core Strategy: Policies 7, 8, 9 and 16

RELEVANT CONSULTATION RESPONSES AND REPRESENTATIONS:

Highway Authority: *"This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application. This proposal has been*

considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application WB/10/0759/FULL to which no objections were raised. This latest proposal appears comparable to the previous application. I would therefore advise that the previous recommended conditions and informative are applied to this latest application."

Previously commented (WB/10/0759/FULL):-

"A new access will be required onto Pond Lane serving the two new dwellings. The access should be 4.1 metres in width and be of crossover construction. The works on the highway for the new access must be agreed with the WSCC Local Engineer and carried out under licence. I would also require the driveway area and car parking spaces to be constructed in a bound material and that suitable drainage methods are installed to prevent private surface running onto the public highway.

In terms of parking an appropriate level of vehicular parking is being provided for the application. In terms of parking layout an adequate area of hardstanding has been shown to allow a vehicle to enter the highway in the forward gear. Cycle parking should be included, however, this must be secure, covered and capable of holding at least one cycle per bedroom of the property.

The proposal is unlikely to result in a large intensification along this part of Pond Lane; no concerns would therefore be raised from the highway point of view.

If the LPA are minded to approve this application a condition securing the new access at 4.1 metres and cycle parking should be included.

Informative
The applicant is advised to contact the Area Engineer, West Sussex County Council, Clapham Common, Clapham, Worthing, BN13 3UR, (Tel no: 01903 878500) to obtain formal approval from the highway authority to carry out the site access works on the public highway."

The **Executive Head of Health Housing and Community Safety** raises no objection.

The **Principal Engineer** comments that this application does not lie in the Environment Agency Flood Zone 2 or 3 but does lie within an area shown on the Environment Agency Flood Map for Surface Water, subject to Surface Water Flooding. Local knowledge is that this area is well known to flood either from heavy rain or the emergence of springs in the vicinity of the development. He comments:-

"I have checked our records and the application is not in a know area of contaminated land, therefore the roof drainage from the new construction

should be discharged to a soak away. However, I understand the concerns of the GTA engineer in that regard. Thus, whilst the applicant will try soakage tests as set out in the GTA report, the test will likely prove the ground unsuitable for soak away and therefore the drainage system will be as set out in the amended FRA.

It is therefore suggested that if this development cannot be rejected, approval be granted on the basis that the development is not only flood proofed but that the consequences of the development on neighbouring properties is not made any worse than in the recent past, which I believe the GTA design will achieve."

Therefore the applicant should undertake a soakage tests in accordance with BRE 365 and if that proves the ground unsuitable then the drainage system as set out in the GTA report must be installed as per their design. At the same time the building itself must be flood proofed..... The Council should not bear any financial burden should flooding occur and emergency or other assistance be required."

The **Conservation Area Advisory Committee** has made no comment but previously raised no objection (WB/10/0759/FULL).

3 letters of objection have been received from the residents of Mouse Mansion in Pond Lane, 12 Taw Close and 8 Birkdale Close, raising the following concerns:-

i) All the same objections as before still apply, in terms of additional vehicles turning in this narrow lane which is already dangerous.
ii) The developer has 'taken' land on the east side of Thatch Cottage to use for parking and other unauthorised works have been carried out to the Listed Building. [These allegations are the subject of a separate ongoing investigation involving the Planning Enforcement Officer.]
iii) Two oak trees have removed to accommodate this development. [Part of the site is covered by G.2 of TPO No.4 1973 which comprised 15 Elms and 1 other (possibly maple) but no oak trees. The group G.2 has long since been removed owing to Dutch elm disease and there is no record of replacement planting.]
iv) The proposed buildings will be out of character and will dwarf Thatch Cottage, a listed building which has recently been tastefully renovated and is mentioned in the Doomsday book.
v) The cottages will be opposite a historic building which dates back to the 17C [Durrington Farmhouse].
vi) The dwellings will overlook the bungalows in Birkdale Close.
vii) The dwellings are close to the spring line and when the springs are active the road opposite the site becomes flooded. Thatch Cottage has required sand bags from time to time to safeguard against flooding. What provisions have been made to ensure than the buildings will not add to problems of flooding?

viii) Additional traffic on this narrow poorly maintained road will be a problem as cars already drive a speed disregarding the access to the playing fields and a play group.

ix) The proposal will cause parking problems as the public car park serving the playing field is often full at weekends, or when parents collect their children from the play group, with congestion all along Pond Lane.

x) The Coalition Government has already expressed that Council's should no longer allow additional housing to be built on garden land.

xi) Object to any overlooking of properties in Birkdale Close.

[A separate letter sent by the resident of Mouse Mansion to the Right Honourable Peter Bottomley MP has been replied to separately by the Executive Head of Planning, Regeneration and Community Well-being.]

PLANNING ASSESSMENT:

The main issues raised by this proposal are (i) the principle of residential development; (ii) the impact on the amenities of future and neighbouring occupiers; (iii) the quality of the design and the impact on the character and appearance of the area and impact on the adjacent Listed Building; (iv) flooding and (iv) access and parking.

(i) Recent changes to PPS:3 have reinforced earlier amendments and reconfigured the policy framework for assessing the principle of residential development in domestic gardens. Domestic gardens are no longer classified as previously developed land, and, as such, the priority once enjoyed by residential development on garden land, no longer applies. Effectively, such new development now needs to demonstrate that there are persuasive reasons to allow the development in relation to national policy, the Development Plan and any other material considerations, which outweigh the loss, or, impact of the loss, of the garden and the development is, otherwise, acceptable. It is important to note that this does not constitute a blanket ban on residential development in gardens and suitable forms of such development in appropriate locations will continue to be acceptable and necessary. Recent appeal decisions have confirmed this approach.

A number of factors need to be assessed in making the judgement of acceptability. A prime issue in terms of current Government policy is the sustainability of the location. It is evident that Pond Lane's character is mixed comprising generally of individual detached houses, as well as the commercial use to the west and community uses in the Scout hall and playing fields to the north. This is an outer, low density, residential suburb enjoying moderate accessibility to local facilities and public transport.

Another factor is how the dwelling type meets identified need. The SHMA, which underpins the submission Core Strategy, indicates there is currently an unsatisfactory imbalance in terms of the housing offer within areas of Worthing. The town's housing stock is focussed towards smaller properties, typically 1-2 bedrooms (40%). Flats account for almost one third of the stock

which is significantly higher than regional and national levels. Submitted Core Strategy Policy 8 states that, within suburban areas only limited infilling will be allowed, which will predominantly consist of family houses, whilst Policy 9 indicates that the existing housing stock will be retained unless the proposal results in a net increase in the family housing stock. The aim is to redress the imbalance between family houses and non-family, smaller accommodation to better meet housing need and to protect the character of residential suburbs where family houses prevail. The proposal comprises two 2 bed-roomed semi -detached houses with relatively modest-sized gardens. The proposed new dwellings would each clearly qualify as a "house" and meet an identified housing priority. The loss of part of the garden of the existing Thatch Cottage would not seriously reduce its attractiveness for future family occupation since a garden some 20m in width on the west side of the dwelling would be retained.

How efficiently the development would make use of the site is also a consideration. In this case, the rear gardens would be extremely shallow (maximum 7.8m depth in the case of Plot 1) although Plot 2 benefits from a side garden. Nevertheless, the amount of garden space is considered commensurate with the scale of and type of 'cottage' dwelling and is not inconsistent with the pattern of development in the wider area.

Although the proposal would help meet housing targets set out in the SE Plan (supported by the Submission Core Strategy) the evidence base indicates that the Council is not reliant on this type of small-scale 'windfall' site to meet targets.

Impact on the amenities of future and neighbouring occupiers

The proposed dwellings offer a reasonable standard of accommodation in terms of the size and layout of each dwelling with natural light and ventilation to all habitable rooms. The dwelling on the north side would have only a modest garden area measuring 7.8m in length at its deepest point, and only 3.6m at its shortest. The southern dwelling would benefit from a larger garden continuing around the south side of the building. The development would be closely sited to the neighbouring commercial vehicle hire and repair business which is a long established use, but is not dissimilar to the relationship of nearby 'Westland Cottages' to this commercial premises, and no objection has been raised by the Environmental Health Officer.

Previous proposals were considered overbearing in terms of the relationship with neighbouring properties, notably in relation to scale, position and positioning of windows detracting from the privacy and amenities of occupiers in Birkdale Close, particularly No's 9 and 10. Since then, the applicant has sought to negotiate with Officers to achieve an acceptable solution. The current arrangement has reduced the dominance when viewed from the rear of properties in Birkdale Close by adjusting the width of the building to move some of the bulk away from the boundary with No. 9 Birkdale Close with a separation distance of 18.8 metres between the side wall of the proposed dwelling and its closest point with No.9. The eaves level has also been reduced, and porch canopies, a blind window, and single storey rear

projections have been added, helping to reduce the perception of scale. There are no first floor windows facing directly towards properties in Birkdale Close. The arrangement of the outbuildings (particularly the positioning of the cycle stores) also acts as a buffer and screen between 10 Birkdale Close and the proposed two-storey dwellings, as well as creating a more gradual step in the scale of the development and creating a sense of enclosure for the informal grouping of buildings.

In terms of privacy, noise and disturbance, the dwellings are well removed from Thatch Cottage and the revised positioning and design now offers a reasonable separation with neighbours to the rear (south).

Design and impact on the character and appearance of the area

The previously refused scheme failed in its attempt to express the character of cottages, being large, poorly proportioned and with details and elements that had closer reference to modern suburban estate houses rather than rural cottages. The current scheme has moved forward in terms of the positioning of buildings and footprint shape, proposing an informal grouping of buildings with the outbuilding to the south helping to complete the composition of the group. The scale and proportioning of the dwellings better reflects a rural cottage and is reasonably sympathetic to and takes some design cues from 'Durrington Farmhouse' opposite the site. The attempts to replicate a rural cottage character would help to bring the development together as a group including Durrington Farmhouse and Thatch Cottage. The applicant has also noted features of 'France Cottages' in Patching, which are reflected in the design and form of the current scheme. Overall it is considered the positioning of the buildings and their scale and general form work well but the CAD drawings provided do not give a clear indication of the detailing of flint, windows, doors, brickwork, chimneys, timber detailing etc which, if approved, would need to be carefully conditioned to ensure a high quality of development adjacent to the Listed Building.

The reduction in the size of the 'car barn' is an improvement on the previous scheme and it has been designed to echo features of a rural outbuilding. The lean-to to the side helps to give a sense of the building having evolved and been adapted over time rather than a formal development arrangement. The positioning and design of the southern outbuilding, providing cycle parking and bin storage, could be further improved to avoid a direct view into the bin storage area from the site entrance. It is suggested that the building should be moved westwards. However, this detail, along with the precise details of the garage building could be dealt with by condition.

Likewise, details of the boundary treatments and surfacing/landscaping of the communal courtyard area could be agreed by condition and in this respect it should be noted that a low flint wall is considered more appropriate to the site frontage with potential to increase the height to the west to provide some privacy and security to the northern dwelling. It is also considered that the formal pathways indicated within the courtyard area are unnecessary and that the courtyard area should act as a shared surface.

The overall layout, scale, and form of development is considered appropriate and does not detract from the setting of the listed Thatch Cottage sited some 20m eastwards. However, the quality of the detailed design and use of local vernacular flint is crucial to the acceptability of the scheme and, if approved, these details can be agreed by condition to ensure that the development is respectful of the character of the neighbouring buildings.

Flooding

In the representations, reference has been made to the flooding of Pond Lane with spring waters and the concern about flood risk formed a reason for refusing a previous scheme, unfortunately not addressed by the most recently withdrawn scheme (WB/10/0759/FULL). The current application has been accompanied by a Flood Risk Assessment. The risk of flooding arises from groundwater (as opposed to fluvial or coastal flooding). The drainage strategy is to drain surface water into the culverted stream (Southern Water sewer) that runs under the site and to attenuate the off-site flow, including a attenuation pipe sized to accommodate the 1 in 100 years plus 30% climate change storm surge.

Following discussions, although the Council's Engineer considers that development of the site is less than ideal, he is nevertheless satisfied that together with flood-proofing measures, the design of the attenuation measures set out in the applicant's FRA (as amended) will adequately deal with the risk of ground water flooding of the proposed dwellings and moreover that the consequences of the development on neighbouring properties will not be made any worse.

The Environment Agency has no comment on the application (located in Flood Zone 1).

Access and parking

The Highway Authority raises no objection in highway safety terms to the use of Pond Lane to serve 2 additional dwellings.

In terms of parking standards, the maximum standard for a 2 bedroom dwelling would be 2 parking spaces and the proposed development includes 1 open bay and 1 'car barn' space for each of the dwellings, which accords with the maximum. The Highway Authority considers that this is an appropriate level of parking for the development and raises no objection to the application in terms of parking and highway safety subject to satisfactory access, surfacing, drainage and cycle parking being provided.

REASON FOR APPROVAL

The proposed development has satisfactorily addressed matters of design in terms of scale, layout, composition and proportioning, and the impact on neighbouring occupiers, which formed earlier reasons for refusal. Although PPS3 no longer lends priority to such development in garden land, the proposal does make efficient use of land whilst satisfying the need for family housing in a reasonably accessible location whilst retaining adequate

curtilage to the Listed Thatch Cottage to ensure an appropriate setting is maintained. The site is at risk from ground water flooding. However, it is considered that subject to the implementation of the recommendations of the submitted Flood Risk Assessment (as amended), in addition to flood-proofing measures required as a condition of planning permission, that refusal on ground of flood risk would not be justified.

RECOMMENDATION APPROVE SUBJECT TO:-

1. Standard 5 year time limit
2. Approved drawings
3. Walls and fences to be agreed & implemented prior to occupation
4. Parking and turning to be provided before dwellings occupied
5. Surface of courtyard to be agreed
6. New access to be provided 4.1m wide
7. Provide cycle storage
8. Construction method statement
9. Implement measures to prevent surface water discharging onto highway
10. No extensions or alterations (including outbuildings)
11. Limit on hours of construction
12. Landscaping scheme to include tree planting to be agreed and implemented
13. Samples of materials to be agreed before construction
14. Sample of flintwork to be agreed
15. Details of porches, dormers, blind window and chimneys and construction of car barn and cycle/bin store
16. Details of windows and doors to be agreed
17. Notwithstanding approved drawings, cycle/bin store to be re-sited in accordance with agreed details.
18. Soakage test in accordance with BRE365 and if unsuitable for soakaway then drainage system detailed in Civils GTA report to be implemented.
19. Flood proofing measures to be agreed
20. No new windows on south side without permission
21. Precautionary contamination

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

Yes

Delegated Decision

Case Officer
Sign.....[redacted].....Date.....31·3·11.....

Authorising Officer
Sign.....[redacted].....Date.....31/3/11.....