Expiry Date – 21/5 ppa agreed to 21/7

Development Control – Delegated Officer Report

Application Number: AWDM/0533/20 Recommendation – Refuse

Site: 1 Winston Road, Lancing

Proposal: **Demolition of existing dwelling and construction of 2no. 4 bedroom semi-detached dwellings with associated parking and bin store.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 16/7

Site and Surroundings

This application relates to the site of a chalet bungalow on the south side of Winston Road. The property has a fully hipped roof with three north west facing (Winston Road) dormers. It also has a rear gable window. The property is set off the boundary with the short rear gardens of West End Way properties by 3 metres; these neighbouring gardens are on higher ground by approximately 1 metre.

Winston Road is an access road to Lancing Business Park. On its north side the rear elevation of Western Close properties, bungalows and chalet bungalows can be seen.

In front of the property is parking for 2 cars onto an access road which serves two other houses and Southon View a three storey flat roofed block of flats on the corner of Winston Road and Western Road.

The site is not in a conservation area and is not listed.

Proposal

Permission is sought to demolish the existing property and to erect a pair of three bedroom semi detached houses with half hipped roofs with front and rear gable features and front Juliet balconies. Each house has an off street front parking space off the existing access.

Relevant Planning History

L/84/81 – Erection of bungalow. Granted 1.6.81

Consultations

Highways:

‘Site Background
The proposal is for the demolition of the existing dwelling, then the construction of two no. four bedroom dwellings. The application site is located on Winston Road a publicly maintained, low trafficked, unclassified road subject to a 30 mph speed limit. As a result, the Local Highways Authority (LHA) will refer to Manual for Streets (MfS) as guidance.

Previously the Local Highways Authority (LHA) received consultation on matters at this location. The LHA advised the applicant to remove the second access, as they may not be able to implement permissions due to this application conflicting with WSCC Highways Area Office Guidance. The following comments are for these amendments only. Additional comments can be found in our previous response.

Access
The applicant proposes to improve the existing Vehicle Crossover (VCO) to a 9.7 metre shared VCO. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the new access is currently operating unsafely.

With all the above considered, the LHA would not anticipate that the proposal would generate a highways safety concern at the proposed access.

Vehicle Parking and Cycle Parking
Under WSCC Car Parking Guidance (adopted August 2019), the LHA would anticipate that five parking spaces would be sufficient for a development of this size and location. For the LHA and MfS to consider parking spaces towards the provision of a site they must first meet the minimum requirements of,

- *2.4 x 4.8 metres for a single bay parking space,*
- *3 x 6 metres for a single garage space,*
- *2 metres(obstruction free i.e. fence) or 2.4 metres x 6 for a single parallel parking space,*

With the above guidance, the LHA provides the following comments.

The applicant proposes a two car parking provision for the new dwellings.
These are in the arrangement of:
- *two unallocated parking spaces,*

The dimensions of these spaces are,
- *Bay Parking Spaces – 4.8 x 4.8metres,*

For the LHA to consider bay parking spaces towards the parking provision of the site they must first measure 2.4 x 4.8 metres (as per MfS guidance). The applicant has demonstrated such. As a result, the LHA would consider the parking spaces to provide a provision of four spaces.

The above findings show that under WSCC and MfS Guidance the development will provide four parking spaces towards the provision of the site. This is one below the minimum recommendation made by the PDC.
Experience has shown through other similar applications, that to substantiate that a shortfall of a car parking space could result in an unacceptable highway safety issue would be difficult to uphold. Therefore, the LHA does not consider this a justification for refusal on highways grounds.

The LPA may wish to consider the amenity implications caused by a small increase in on-street car parking demand.

The site is located in a sustainable location within walking and cycling distance to a range of public services, amenities and employment options. Buses and rail station provide a realistic travel opportunity for longer trips. The Local Highways Authority (LHA) would not anticipate that future occupiers of the dwelling would be reliant on the use of a private motor vehicle. As a result, the LHA would like to see the implementation of cycle storage space.

To summarise the LHA raises no concerns over the Vehicle Parking, but seeks clarity over the cycle parking provision.

Electric Vehicle (EV) Parking
In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, the Local Highways Authority (LHA) request that developers provide all new homes with electric vehicle (EV) charging points. Based upon current EV sales rates within West Sussex, the applicant should provide a minimum of 20 % of all parking spaces with active charging points, with ducting in place for the remaining 80% to provide 'passive' provision for future upgrades. Due to the small-scale nature of this proposal, the anticipated provision of active EV spaces for this development would be one space, in accordance with the above WSCC guidance.

Conclusion
In principle the Local Highways Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. However, the LHA require a modification regarding the Cycle Parking, as described above.
Please raise these issues with the applicant and re-consult. At which time the LHA can advise suitable conditions and informative notes.'

Environmental Health:

***'**This application site is situated in close proximity to Winston Road which is the main entry/exit road to Lancing Business Park. This road is regularly used by lorries related to the Business Park during the day and night which could result in noise disturbance. Consideration should be given to the impact of noise on this development, with additional consideration for the top floor of the dwelling due to the influence of sound transmission into the bedrooms via the roof / ceiling.*

I note the south westerly facing bedrooms have large french doors with juliet balconies but they do not seem to have any other means of ventilation. Given the solar gain on this facade and potential exposure to high winds it may not always be practical or desirable to open the French doors for ventilation, particularly during the night. This may lead to overheating in these rooms.

I would recommend a condition is added to this application requiring an assessment of the overheating risk, and would suggest the following wording.

Prior to the commencement of any development the applicant should assess the overheating risk using the tool within the Good Homes Overheating Guidance (at https://goodhomes.org.uk/overheating-in-new-homes). This may result in the requirement for amendments in the design of the building to mitigate the likelihood of overheating.

I would also recommend the following condition to assess the noise, the recommendations of the noise assessment and the overheating assessment may be linked so the applicant may wish to combine the two in a single report.

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 contained within ProPG: Planning & Noise – New Residential Development, 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

.
As this site is situated in close proximity to surrounding residential dwellings I would recommend the following conditions.

Works of construction or demolition, including the use ofplant 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

Dust Demolition or Construction work shall not commence until a scheme for the protection of the existing neighbouring premises from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development.'

Technical Services:

'Flood risk- The application is within flood zone 1, but is shown to be at low to moderate risk from surface water flooding.

Surface water drainage- No information has been submitted regarding proposals for surface water drainage. The application form states that surface water will be disposed of via sustainable drainage system and watercourse. There are no watercourses in the vicinity.

The hierarchy for sustainable drainage must be followed, with infiltration fully investigated and utilised if possible. If you are minded to approve this application please apply the following condition to ensure the development is adequately drained and does not increase flood risk elsewhere:

"Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. 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. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

with the accompanying informative

"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage https://www.adurworthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions'"

Southern Water:

'Please find attached a plan of the sewer records showing the approximate position of a private surface water sewers within the site. The exact position of the private surface water sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:
- The 225 mm surface water sewer require a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link southernwater.co.uk/infrastructure-charges

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: developerservices@southernwater.co.uk'

Lancing Parish Council: No objection.

Representations

2 objections summarized:

1. Inadequate access for lorries associated with the build, construction material deliveries etc.
2. Overdevelopment
3. 3 storeys too high
4. More cars

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2, 15, 34, 35 and 36 including 'Development Management Standard No. 1 Space Around New Dwellings and Flats and 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.
DCLG's Technical Housing Standards 2015

Planning Assessment

Principle

The principle of development can be supported as it proposes the building of houses on a brownfield site within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity. Car parking, drainage and prospective residents living conditions must also be considered.

Neighbour amenity

The proposed houses do not extend any deeper into the site but they do extend closer to the West End Way rear gardens' boundary leaving a gap of only 867 mm. The houses have a higher eaves level and are half hipped. Each has a bedroom window in the rear first floor wall.

6 and 8 West End Way are very modest semi detached bungalows on slightly higher ground. These bungalows have short rear gardens, approximately 6 metres depth.
It is considered that the proximity, design and scale of the houses will be overbearing for residents of these bungalows. Their afternoon light will also be affected and greater overlooking will occur.

Character

The area has quite a mixed vernacular so the specific design and materials proposed would not be out of keeping. However, the development is considered to be cramped within the plot in relation to both side boundaries and as such out of character and contrary to DM Standard No. 1 which states:

"*Side boundaries*
In the case of small detached, semi-detached and end-of-terrace dwellings a minimum gap of 1m should be provided between any wall of the dwellings and the side boundary. However, on a corner plot and in the case of large detached or semi-detached houses (over 10m wide or more that two storeys high) and blocks of flats, a gap of at least 2m will be required in order to avoid a cramped appearance. An exception may be made in the case of linked semi-detached dwellings where pairs of houses are linked by a pair of garages."

Living conditions

The proposed houses have a floor area of approximately 95sqm and so meet the DCLG's Technical Housing Standard 2015. Both gardens just meet the minimum garden area of 85sqm set out in the adopted Development Management Standard No. 1 Space Around Dwellings. Both gardens are more than 11 metres in length and they do not face a solid obstruction.

Concern has been raised from Environmental Health to potential noise from traffic accessing the industrial estate and also bedrooms overheating. In the revised plans the drawings have been altered to include a top light opening in the proposed west facing French doors. It is not clear whether this solves the potential overheating problem and a study will need to be submitted to confirm. Noise from lorry movements may also prejudice this development and a noise study would be required to assess its suitability to accommodate two family houses and what mitigation, if any, is required.

Highways

The highway authority does not object to the shared access proposed or level of parking provision. The access road can cope with the level of traffic proposed for the development. A construction management plan would be required if recommending approval as his site is so close to a junction.

Cycle parking can be provided in each of the rear gardens. Electrical Vehicle charging would be expected.

Drainage

The site does not flood. No surface water drainage details were submitted with the proposal.

Recommendation
REFUSE for the following reason:

1. The scale, design and proximity of the proposed houses to the West End Way boundary would result in an overbearing impact, loss of light and increased overlooking harmful to neighbours' living conditions. The proposal is therefore contrary to policy 15 of the Adur Local Plan, 'Development Management Standard No. 1 'Space Around New Dwellings and Flats' and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 17.7.2020
Authorised and signed by:	Peter Barnett	Date: 17 July 2020