expiry 12.11.07.

Development Control – Delegated Officer Report

Application Number: ADC/0567/07 **Recommendation - REFUSE**

Site: **117 - 119 Sompting Road Lancing West Sussex BN15 9LG**

Proposal: **Demolition of rear conservatories and garage and erection of attached two-storey block of 4 one-bedroom apartments with 5 parking spaces incl. new access to Leconsfield Road**

The Application

The application relates to a proposed development at the rear of No's 117 & 119 Sompting Road, on the south-east corner of the junction between Sompting Road and Leconfield Road. The site lies within the built-up area of Sompting within a primarily residential area.

The proposal is to demolish a detached pitched-roof garage at the rear of No.117 and conservatories at the rear of No.117 & 119, and erect a block of 4 one-bedroom flats, attached to the existing buildings with off-street parking for 5 vehicles and access onto Leconfioeld Road.

The existing buildings at No's 117 & 119 are comprised of a convenience store at ground floor level across both properties, a one bedroom first floor flat at No.117 and a three bedroom maisonette above and to the rear of the shop section of No.119.

To the north the road is generally characterised by chalet style bungalows, many of which have been extended or improved. To the west is a small painted render bungalow on the adjacent corner of Leconfield Road,which is sited behind 1.2m high boundary wall. To the south is a terrace of five houses (No's 1-9 Leconfield Road), also painted render and to the east is a pair of Victorian red-brick semi-detached houses (No's 113 & 115).

Prior to the amalgamation of the two premises (117 & 119) into one larger convenience store, the eastern shop used to be an off-license and the western a smaller general store. When the two stores were separate No.117 had three different proposed developments refused for: a two-bedroom townhouse (with rooms in the roof) attached to the east side (L/31/01/TP); a two-bedroom townhouse with front dormer (amended scheme L/105/01/TP); and a one bedroom townhouse with front dormer attached to the east side (L/174/01/TP).

Consultations and Representations

Third Parties: There have been three letters of objection to the proposals.

The owner of No.115 to the east has objects to the reason that: the proposed development will overshadow their kitchen, back bedroom and garden; the kitchen, back bedroom and garden will be overlooked; that the proposal is over dense and therefore out of character; that the flats would be too close to the boundary; the size of the flats would be overbearing leading to loss of light and outlook; the development does not include the 20 sq m amenity space per flat; or for bin storage and that the number of vehicles originating from the development will cause further strain on on-street parking. They also raise concerns that the high roof could be converted at a later date, the repositioning of an existing window will overlook their garden and that it will effect the appearance of their previously open on three sides garden.

The two part-owners of No 113 Sompting Road have written in to object the imposing effect that the high ridge of the building would have. They feel that the building will completely dominate the private rear garden area, and will create loss of natural light to the existing living rooms and their garden. They feel the proximity to the boundary doe not allow for proper maintenance of the building.The proposals will have unrestricted views of their bedrooms, lounge and bathroom, removing the private and quite enjoyment of those rooms. They raise the issue of there being no amenity space cycle or bin storage and that the access onto Leconfield Road would result in highway conflict.

Lancing Parish Council: Object to the overdevelopment of the site and it being uneighbourly.

Chief Environmental Health Officer: No objections.

County Transport Planning Services: No highway objection is raised to the proposal subject to amendments to pedestrian visibility, access location, reinstatement of existing access , boundary height to be no more than 0.6m, inclusion of cycle parking and bin stores, and a TAD contribution of £3,575 being paid towards sustainable transport within the area, all being incorporated and conditioned into the final plans.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, CH1, NE1-2, ERA1,DEV1, DEV3-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1-2, AH5, AT12 and Appendix II 'Supplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New dwellings and Flats'.
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 203 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 ' Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)

Planning Assessment

Policies

The site is located within the residential built-up area and the proposal constitutes redevelopment and infilling as provided for in both Structure and Local Plan policies. There is no objection in principle to infill development within the built-up area and, in order to meet the housing requirements of the approved Structure Plan and Local Plan, a significant proportion of housing development by way of development of 'unidentified' infill sites is necessary. However, the suitability of individual sites for development depends upon many factors including the adequacy of the means of access to the land, the character of the locality and the siting and configuration of existing and proposed dwellings.

Structure Plan policies give significant weight to making the best use of land through higher density development provided that the impact on the character of the area and environment is acceptable (LOC1, ERA1, CH1) and subject to policy DEV1 requiring high quality development. Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met. DEV5 states that "Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative".

Local Plan policy 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'.

Government policy in PPS3, in order to achieve a wide choice of high quality homes, improve affordability and create sustainable, inclusive, mixed communities, generally encourages the maximisation of the use of previously developed land for housing development at higher densities and without rigid application of parking and amenity space standards. However, it is also states that "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".

Density, character and appearance

The character of the surrounding area is of relatively high density in the context of Government guidance as set out in PPS3 (30 – 50 dwellings per hectare). Terraced properties surrounding the site in Sompting Road (No's 99 – 107), Myrtle Road and Leconfield Road all have densities above the

guidance 30 – 50 dph at approximately 58 – 68 dph, however the detached chalet style bungalows opposite are at a lower 23 dph. Many of the other Victorian style properties which front onto Sompting Road from the south have been split into flats but still achieve a similar density in character with the surrounding area. The proposals would result in a density of 105 dph, this does not take into account the commercial premises on site which will add to the dense appearance of the site, and it is therefore considered that the proposals would be out of character with the density of the surrounding area and overdevelopment of the site.

The proposed block of flats would be attached to the rear projecting section of the existing properties, and would extend to the south retaining a 1.0m gap to the southern boundary. The connecting element of the proposed building would house the lobby and stairs for the entrances into each flat and would be 6.1m in height. The main section of the block of flats would be 8.5m (as amended) in height to the apex of the roof similar to that of the properties fronting Sompting Road.

At present both No's 117 & 119 have a residential appearance in scale and form. From the rear they are demonstrably residential with appropriately sized rear gardens. They are of a slightly different design and era from the adjacent neighbours to the east. Their gardens create a visual gap between the rear of No's 117 & 119 and the start of properties on the east side of Leconfield Road, with the only interruption being the boundary fence, hedge at the rear and pitched roof of the garage at the rear of No.117. The mass and bulk of the proposed flats would be overpowering and overbearing visually on both the host dwellings and on the streetscene. This would be particularly evident due to the difference in design of roof and choice of brick elevations with light coloured timber window panels as apposed to the pebble-dashed elevations of the existing buildings.

Residential amenity – sunlight, outlook, overbearing quality

The property to the east (No.115) is separated from the site by 2.0m high boundary. On the west of the rear side it has a kitchen with doors that open out to the garden and bedroom window at first floor . The garden appears to be well used with a patio area adjacent to the dwelling. The existing pitched roof garage is 4.5m high and is located close to the boundary between the two sites. It has a dominating appearance and has an effect on the levels of sunlight that are available from the wast. The proposed block of flats would have a flank wall on the west side of 5.0m in height with the roof sloping to a ridge of 8.5m, and it is considered that the effect the mass of the building would have on the outlook and amount of light available would be unacceptable. The uneighbourly size and the proximity of the proposals would create a rear garden for the occupiers of No.115 that would be unacceptably overdominated by the building.

Residential amenity – garden space

The proposed flats do not have any garden space allocated to them, but this is not a reason for refusal in itself, given the conversion of other properties in the vicinity into flats without an outdoor amenity provision.

No provision has been identified to any of the flats for covered and secure cycle storage or refuse and recycling storage, a wide driveway to the west of No.117 could accommodate these structures still retaining a single parking space to the front as a condition.

There is concern that the existing three-bedroom maisonette currently has the whole of the garden to the rear of No.119 for its sole use, and after the construction of the flats this would be reduced to an area which would be 20 square metres. Given the size of the property and the likely occupation this is considered to be too small for a potential small family to use.

Residential amenity – privacy

The east facing bedroom window of the first floor flat would have direct views towards the garden at the rear of No.115 and to a lesser extend No. 113 . Views towards the rear facing rooms of No.115 would be possible from both the bedroom and less so from the lounge, although both would be oblique views, however it is felt that the scale of the proposed building would create such a feeling of confinement that the quite and private enjoyment of the garden and rear rooms would be severely compromised.

The rearrangement of the windows of the existing first floor flat above No.117 would result in the bedroom window being moved to the east side of the property. It would look directly at the side of the neighbouring property and rear garden, increasing the level of overlooking. The relocated bedroom window would be 3.0m from the north facing lounge window of the first floor east side flat and again the angle would be particularly oblique and not have an effect on the privacy of this room.

The four kitchens of the flats would have south facing windows towards the rear garden of No.1 Leconfield Road, these would have an unacceptable level of overlooking but it is felt obscurely glazing these windows could overcome this effect.

The rooms in the east side of No.121 are visible over the low boundary wall from the adjacent street and it is considered that the windows in the west side of the proposed flats would not increase the loss of privacy to a level that would warrant refusal solely on that basis.

Access and parking

Six parking spaces would be available on site, five as part of the development and one adjacent to No.117 and given the availability of on-street parking this is considered to be an acceptable amount.

Other issues

The future development of the roof of the proposals would need to be considered under a fresh planning application and cannot be judged under this application.

Recommendation

REFUSE for reason that :-

1. H15R
The proposal would constitute an undesirable intensification of residential development at a density which would be out of keeping and incompatible with existing development in the locality and which would be detrimental to the environment, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

2. H18R
Having regard to the limited area of the site and its relationship to existing residential properties, the proposal would give rise to an uneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in loss of light, loss of privacy and an overbearing effect on existing dwellings, and conflicting with the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH2).

3. B2R
The proposal is unacceptable in that it does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment, therefore conflicting with the policies of the approved West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2) ~~and the Adur District Local Plan~~.

4. There is no evidence that the necessary contribution would be made to improvements to sustainable transport to offset the effects of the travel and infrastructure demands generated by the proposed dwellings, as required by the West Sussex Transport Contributions Methodology and policies DEV3-5 of the West Sussex Structure Plan.

Case Officer:
Date: 29.10.07