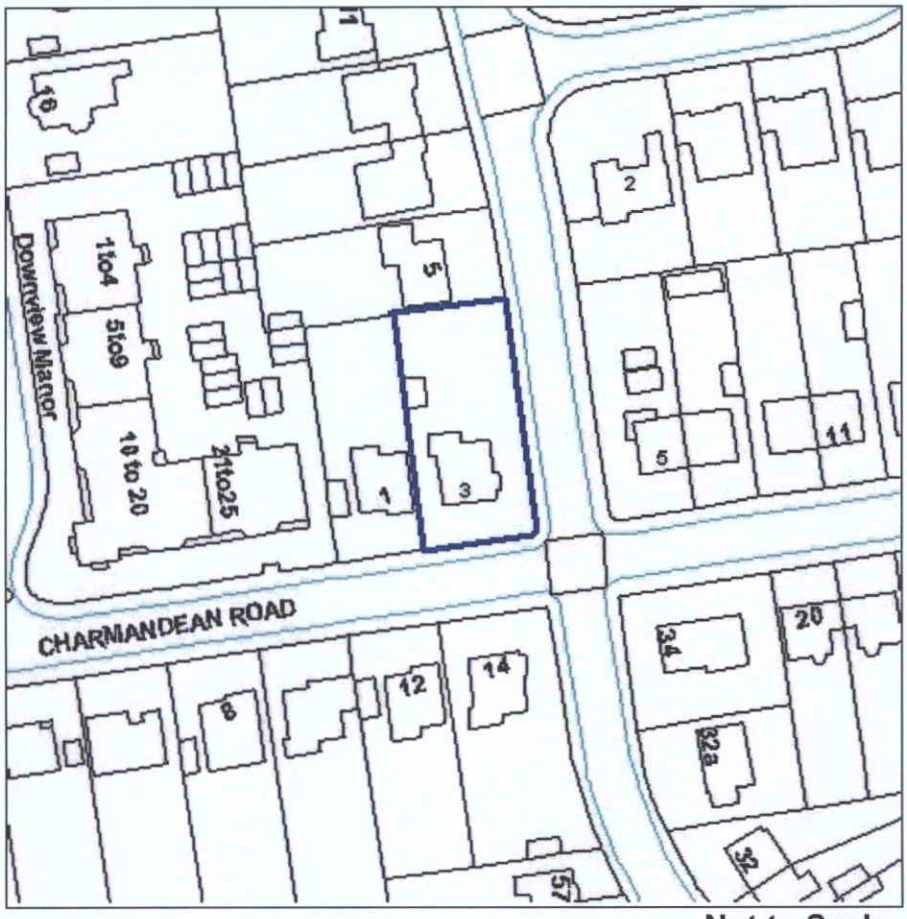
Renaissance Habitat Ltd

WB/10/0839/OUT
BRO
PLP

Location : 3 Charmandean Road

Proposal: Outline application for the demolition of existing dwelling and construction of 8 No. x 2 bedroom flats.



Not to Scale

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1. THE PROPOSAL AND THE SITE

The application seeks outline permission for the demolition of the existing two storey detached house on the corner of Hawthorn Road and the erection of a single building comprising eight 2 bedroom flats. The proposal includes a parking area for 7 vehicles on the northern half of the plot with access from Hawthorn Road incorporating a cycle store for 11 bicycles and a bin store. There would be a single parking space in the front garden.

Although an outline application, access, layout and scale are matters for formal consideration in this application.

No. 3 Charmandean Road is a Jacobethan style property similar to its neighbour, No. 1, and similar to the houses opposite on the south side of Charmandean Road. The application site is at a crossroads formed by Charmandean Road, Hawthorn Road and Broadwater Way. To the east are matching pairs of semi-detached houses on the north side of Charmandean Road. On the south side of Charmandean Road opposite are also pairs of two storey semi-detached houses but the corner of Broadwater Way contains a bungalow. To the north of Charmandean Road, in Hawthorn Road, the area is characterised by single storey bungalows.

The proposal is to erect a block of flats comprising three floors with an entrance at the front for one flat and a separate main entrance on the north side facing the proposed car park for the remainder. The illustrated block scales at a maximum of 16.4 metres wide and 15.0 metres deep. Indicative floor plans show three flats on the ground floor, three flats on the first floor and two flats within the roof space. The 'indicative massing diagram' shows the ridge height of 8.7 metres at a similar height to No. 1 to the west. The building is shown as sited 6 metres from the front boundary, 18.5 metres from the rear boundary, approximately 1 metre from the western boundary and just over 1 metre at its closest point to the back of pavement in Hawthorn Road to the east. The precise distances are difficult to measure due to the manner in which the site plan has been drawn with a thick coloured boundary line.

The indicative elevations show that the block could comprise two large south facing gables each containing a two storey projecting brick bay and flat roof. The rear north facing elevation is not illustrated but from an eastern viewpoint is drawn as a hip with projecting dormers. The proposed eastern elevation would be stepped. The west elevation is not illustrated. No windows are shown in the elevations or roof (although some are referred to in the Design and Access Statement). The application forms state that the building would be constructed in brick with a tiled roof. However, the appearance is a reserved matter and not for formal consideration in this application.

The car park would be served by a central access 4.8 metres wide to Hawthorn Road. It would have a central tarmac forecourt with the 7 parking spaces finished in block paving.

The cycle and bin store would be combined as a flat roofed building approximately 6 metres long and almost 3.0 metres deep positioned about 2 metres from the western boundary.

The application shows the existing vehicle access to the front garden as being retained with a new pedestrian entrance formed. The plans also show the removal of three trees along the eastern boundary to accommodate the building. The plans suggest that the other trees within the site would be retained.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"1.0 Context of the Development

1.1 The site is located in a sustainable location within the settlement of Worthing and is 0.25km away from public open space and the local amenities of Broadwater Street. In addition to this the site is approximately 1.5km north of the town centre and is, therefore, within a reasonable walking distance of the full range of services, facilities and public transport of Worthing.

1.2 The site is situated on the north side of Charmandean Road which is predominantly 2 storey detached and semi-detached houses and blocks of flats. The area is therefore characterised by residential property with a mix of flats and houses. The character of the locality is classic pre-war.

2.0 Use of the site

2.1 The site lies in a residential area and the proposal is to replace the existing detached dwelling with a single block of apartments together with associated vehicular and cycle parking.

3.0 Amount of development

3.1 The proposed block of flats consists of 8no 2 bedroom flats.

3.2 The site covers 732 square metres (0.073 hectares) and the curtilage measures 39 metres by 20 metres on average. Within the site, the ground cover of the flats is 230 square metres.

3.3 Seven parking spaces are proposed to the rear and one at the front. A cycle store for 11no cycles and a bin store are located to the rear..

4.0 Scale and Layout

4.1 The layout of the development is as described above and in the plans. Access to the flats is one from the front and seven from the rear.

4.2 Amenity areas laid to lawn are proposed to both the front and the rear of the proposed development.

4.3 Accommodation is arranged over 2½ storeys with windows located on the north, south, east and west elevations. In addition to glazed gables, Velux roof windows have been provided to the second floor flats.

4.4 This scheme has been heavily informed by recent appeal decisions along Charmandean Road. Specifically appeal decision APP/M3835A/09/2112172 which related to a proposed scheme of 10

no. flats on the same site. The Inspector in that appeal made a number of relevant observations, which are summarised as follows:-

Principles established by the Inspector:

- *The street scene is made up of a variety of styles including bay fronted dwellings immediately to the east.*
- *The proposed building emulated the bay fronted houses lying to the east of the site.*
- *No objection to the style of the proposed building differing from that which exists on site.*
- *Acceptance of flats at a higher density than exists.*
- *Acceptance of accommodation in the roof space.*
- *Parking to the rear would not be so harmful as to justify dismissing the appeal.*
- *Parking standard is acceptable.*
- *No highways safety issues.*
- *Concerns by local residents including overshadowing, overlooking, smell, security and flooding do not justify or add to reasons for the dismissal of the appeal.*

Inspector's Concerns:

- *Scale and bulk of the building:*
    - *In particular when seen from the east due to a single projecting bay facing the road and in particular lack of subordinate elements in relation to no. 5 Hawthorn Road.*
    - *Lack of detailing to the front of the property.*
    - *Enclosed front garden and no front access to the building.*

Response to Inspector's Concerns:

- *Matters to be determined are siting, scale and access. Appearance and landscaping are reserved matters. This said indicative elevations have been supplied to reveal the relationship to the north and treatment of the eastern flank. The applicant expects to be held to account in respect of final appearance.*
- *The proposed building contains 8 rather than 10 flats, a reduction of 20%.*
- *Access has been provided to the front (south) together with a single parking bay, thereby following the dominant street scene and addressing the Inspector's concern over enclosure of and access via the front.*
- *Subordinate elements and articulation have been introduced to the east and north in order to lower the impact of the building and improve the relationship to no. 5 Hawthorn Road.*
- *The boundary to the east and south will incorporate the existing wall and additional hedging plants.*

4.5 The proposed development has been designed to respect the street scene along this section of Charmandean Road. At the western end of Charmandean Road is a modern character block of flats which seeks to reflect the traditional vernacular but this is an exception to the general scene and does not inform the proposed development. The dominant street scene is established by semi-detached houses immediately to the east and the proposed scheme largely reflects these classic examples of pre-war housing along Charmandean Road and the wider context.

4.6 Whilst appearance is a reserved matter, the traditional architectural language of this scheme could incorporate a number of design features to recall aspects of local vernacular, including mock-tudor stucco finish to certain elevations, brick plinths, casement windows, radial brick arches, brick cills, tile hanging and render panels.

4.7 In order to follow the rhythm of Charmandean Road the south elevation includes bays windows and substantial returns.

4.8 The eaves height has been intentionally kept as low as possible to reflect the scale of the context. The general eaves height of the locality is at first floor window head height.

5. Landscaping

5.1 There is scope for new landscaping to the front and rear, enhancing the visual amenity within the development and the street scene (landscaping is a reserved matter).

6.0 Access

6.1 Access into the rear of the development is via a 4.8m wide access off Hawthorn Road. Access to the front of the development is via a 4.8m drive off Charmandean Road.

6.2 The visibility splay to the north: X – 2.4m, Y – in excess of 43m.

6.3 The visibility splay to the south: X – 2.4m, Y – 33m to the junction.

6.4 The visibility splay to the east: X – 2.4m, Y – in excess of 40m.

6.5 The visibility splay to the west: X – 2.4m, Y – in excess of 40m.

6.6 8 parking spaces are proposed (one for each flat) with 6m parking forecourts for turning.

6.7 Disabled access into the flats will be provided in accordance with Approved Document M of the Building Regulations."

3. APPLICANT'S PLANNING POLICY CONTEXT STATEMENT

The applicant has submitted the following Planning Policy Context Statement:-

"This document sets out the Planning Policy context in respect of an application for outline consent for the demolition of 1 no. residential house and the construction of 8 no. two bedroom flats.

The proposed scheme has been designed having paid particular attention to saved Local Plan Policy in particular Policies BE1, H10 and H18 and West Sussex Structure Plan Policies ERA1 and DEV1.

The site is located in a highly sustainable Neighbourhood Centre and is close to local recreational amenities, shops, schools and public transport routes. The development itself seeks to make best use of previously developed land in accordance with PPS3.

Local cycle store and parking standards for established centres have been adhered to at a ratio of 1:1 +1 and 1:1 respectively. Similarly private shared amenity complies with modern standards for flatted developments.

The Applicant is aware that numerous schemes to replace houses with flats have been proposed in the locality, several of which have been refused by the Local Planning Authority and dismissed at appeal, including one for this site (APP/M3835A/09/2112172). It is noted that recent appeals have been dismissed ostensibly on the grounds of the harmful impact on neighbouring properties, affect on the local character and loss of neighbours' amenity. The Inspectors have specifically noted however, that the principle of flatted development in this locality is acceptable and also that intensification of traffic movements would not have an unacceptable impact on local road capacity or safety. In the appeal reference APP/M3835A/09/2112172, the Inspector dismissed the notion that harm would be done by a building of different design and appearance than that which currently occupies the site. Similarly issues relating to noise from cars, parking, overlooking and overshadowing were also determined to have no harmful effect."

4. CONSULTATIONS

The **Highway Authority** comments as follows:-

"Comments have been made by the Highway Authority in regards of a larger scheme comprising of 10 flats. Whilst no highway objection was raised to this previous scheme, it is noted that this was refused by the Planning Authority and that the subsequent planning appeal was also dismissed.

The current application also seeks outline approval with matters of access, layout and scale to be approved at this stage. In terms of the submitted detail, in highway terms these largely reflect those previously commented upon by the Highway Authority, with the only noticeable difference being that the existing vehicular access onto Charmandean Road is being retained. This is

an existing access and given that it is only to serve a single car parking space, no intensification of use of beyond its current usage would be expected.

With regards to the proposed new access, the following comments were previously submitted and would be reiterated.

It is noted from visiting the site that there are traffic calming features along Hawthorn Road that appear to coincide with the location of the access. Whilst not necessarily a highway safety issue, there is the possibility that vehicles emerging from the site may ground on the speed cushions as they exit. The applicant is not appearing to propose the relocation of the traffic calming features and the Highway Authority would not be seeking the relocation of the access or these features either on the grounds of highway safety.

Visibility splays of 2.4 by 43 metres and 33 metres to the north and south respectively are indicated. Some on-street car parking was observed on Hawthorn Road, although this road was lightly trafficked and it is considered that any parking that does take place would not be restrictive to visibility.

The proposed access is of sufficient width to enable two opposing vehicles to pass.

There have been no material change in circumstances and as such the above comments are still applicable.

Parking requirements have been considered against the WSCC Parking Demand Calculator. On the basis of a single space being allocated per flat, the site would be anticipated to generate the demand for 11 parking spaces, hence this proposal may result in additional vehicles parking on-street. The additional demands upon on-street parking would not be expected to generate any particular safety concerns. The Planning Authority may wish to consider the on-street parking demands arising from this proposal.

Details of the cycle parking should be secured via condition.

There would be no highway objection to this proposal.

CONDITIONS
Cycle parking
The flats, hereby approved, shall not be occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the planning authority.
Reason – To provide alternative travel options to the use of the car in accordance with PPG 13.

Prevention of Surface Water Draining onto Public Highway
The flats, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.
Reason - In the interests of road safety.

Vehicle parking and turning
The flats, hereby approved, shall not be occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.
Reason – To provide adequate on-site car parking and turning space for the dwelling.

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 and closure of the existing access works on the public highway.

A TAD contribution of £5,715 would also be sought. I can provide details of schemes to which this is to be used if required."

The **Planning Policy Manager's** comments are as follows:-

"The main policy issues that are relevant to this application are:-

Local Plan 2003

H 10:	*Demolition and change of use*
H 13:	*Conversion of residential/non residential to flats*
H 18:	*Loss of amenity.*
BE 1:	*Good standards of design and materials.*
TR 9:	*On site parking provision.*

Emerging Core Strategy Policies 2011

Policy 7:	*Meeting housing need*
Policy 8:	*Getting the right mix of homes*
Policy 9:	*Existing housing stock*
Policy 10:	*Affordable housing*

The above polices are ones saved from the 2003 Local Plan and the policies from the emerging Core Strategy.

The primary policy that will affect this application from the Local Plan 2003 is H18. The area is a sensitive one and in the past has seen refusal of development that has involved the loss of a large detached dwellings.

The construction of 8 flats, although less than the original 10 flats on the site from the previous outline application (which was refused on appeal in 2009) is still likely to have an effect on the amenity of the neighbouring properties and this needs to be assessed as part of the outline application.

The impact on the local transport infrastructure of any potential development also needs to be assessed by the Highways section at the County Council.

The Strategic Housing Market Assessment (SHMA) 2009 has concluded that flats should not be the principal type of housing stock in the Borough, with a

need to build more large family dwellings. This may not be a material consideration in this application as the SHMA is primarily referring to future new development (as opposed to this application which is a conversion of part of the existing stock) within the Borough but it is a matter that could be considered.

Since the original application for 3 Charmandean Road was refused Worthing's Core Strategy has progressed and is currently awaiting the Inspector's final report – which is due at the end of the month.

There are polices in the emerging Core Strategy that are set out with defined intentions to meet Worthing's future housing needs, in terms of numbers and location, directing policy towards getting the right 'mix' of homes in the town and also protecting the existing housing stock in terms of avoiding net losses from future development.

Although not yet identified as being 'sound' it is anticipated that the Inspector's final, binding report will confirm the document's soundness. With this in mind it is reasonable to give due weight to the housing polices in the Core Strategy.

The pivotal policy for this application in terms of the Core Strategy is Policy 9 – Existing housing stock. This policy seeks to ensure the retention of the existing housing stock and perhaps importantly for this application the policy's objective is to retain existing family housing. However, consideration would be given to the loss of existing housing stock if it results in a net increase in the family housing stock.

The application is advocating the construction of 8 2 bedroom flats and the question must be asked as to whether this can be regarded as being family accommodation. The English Partnership's Design Quality Standards of 2007 specify that the minimum internal floor areas in relation to bedrooms and occupancy for a 2 bedroom/3 person home should be 66m2. A look at the floor plans indicates that the largest flat on the ground floor would be 64.35 m2. Four of the flats are less than 60m2. I would advocate that such dimensions do not indicate to me that this development would lead to an increase in the family housing stock. Also there are no separate garden spaces for the ground floor flats – albeit there are small communal amenity areas to the front and rear.

I would also point out that there has been a recent appeal decision on a site at 37 Upper Brighton Road where an application was received to convert and extend a family house into 5 flats. The original application was refused on the grounds of a loss of family accommodation. An appeal by the developer was heard by an inspector but was dismissed. The reasons given by the inspector were that the emerging housing polices in the Core Strategy should be given significant weight - especially Policy 9. The inspector stated that

"the proposed 5 flats fall somewhat short of the recommended minimum internal floor areas for 2 bedroom/3 person homes as set out in the English Partnership Quality Standards.....bearing in mind the small size of the proposed flats and the lack of private amenity space for each unit I consider that the proposal would not result in a net increase of family housing stock"

There will be an addition to the housing stock as a result of constructing 8 flats and this would comply with Policy 7 of the Core Strategy but I do not feel that this supersedes the loss of a sizeable family house. The evidence set out in the Strategic Housing Land Availability Assessment of 2009 does make it clear that Worthing has enough housing sites from identified sites that are available, suitable and achievable now which will meet the town's housing requirements up to 2026.There is therefore no overt pressure on the Council to grant planning permissions in order to meet its housing targets.

Notwithstanding the potential issues with the scale and massing of the application which are primarily issues that will need to be addressed at Development Control level the main policy objection for this proposal is the loss of a family dwelling which is in short supply in the town."

The **Executive Head of Health, Housing and Community Safety** raises no objection subject to the imposition of two conditions in relation to hours of demolition and construction and dust suppression.

The **Environment Agency** raises no objection and previously requested a condition in relation to the disposal of surface water.

The views of the **Council's Arboriculturist** are the same as previously stated in relation to WB/09/0375/FULL as follows:-

"The existing property has a mature garden with various small trees and mature shrubs around its boundaries.

The outline application indicates the retention of the most prominent trees and this is achievable given the appropriate construction detail and to this end a Tree Preservation Order may be appropriate on two of the more prominent specimens, namely an ash and cherry on the east side. In addition to the shrubs, the trees for removal include a good condition apple tree, a small dead tree and a poor condition holly on the east boundary.

The remaining trees are either rooted so tightly against the boundary walls (ash, north east corner, beech, south east boundary) or of marginal public amenity value (eucalyptus, north west corner) so as to make an order more difficult.

The proposed block is however located at an unreasonably close distance (1 to 1.4m) to the east and west boundaries to enable the successful establishment of a meaningful landscape strip with appropriate shrub planting to soften this edge. At the moment this edge has some good mature large shrubs along, which can be seen above the brick wall and contribute to local amenity along the east side and screening to the neighbouring property to the west. I would suggest a minimum of 2m is required to allow for any meaningful replacement landscaping and allow maintenance access to the building."

5. REPRESENTATIONS

112 letters of objection have been received, mainly from local residents in Charmandean Road, Cissbury Road, Hawthorn Crescent, Hawthorn Road, Broadwater Way and Grove Road, making the following points:-

i) The applicant appears to have total disregard for neighbours and the local community.
ii) The proposal would result in serious loss of amenity and the bulk, scale and design of the building would upset the rhythm and harmony of the street.
iii) The building would be out of character with the area and the current spaciousness and openness of this prominent corner.
iv) It will result in increased traffic noise, car doors being slammed, headlights glaring, people talking and general disturbance from dustbins.
v) The development would result in at least another sixteen cars.
vi) It will seriously compromise the safety of many frail and elderly people who use the pavements to get to the shops.
vii) It would be visually harmful to the living conditions of nearby residents.
viii) The existing house is in character with its surroundings.
ix) Eight homes on the same site as one home is excessive.
x) On-street parking is already a problem.
xi) Charmandean Road is still a rat run and speed humps make no difference.
xii) The site would not be appropriate for social housing.
xiii) The application does not address the unsatisfactory elements of the previous application which was dismissed on appeal.
xiv) The building would be very close to the boundary in Hawthorn Road.
xv) Neighbouring properties would be overlooked.
xvi) The parking problems are aggravated by the two bus stops in the area.
xvii) Neighbouring property security will be severely compromised.
xviii) The development is not in keeping with the Worthing Local Plan in size and housing density.
xix) A large block of flats would completely alter the balance and pleasing character of the area as well as causing overshadowing, overlooking, noise and disturbance.
xx) The parking area is insufficient for the required number of cars resulting in traffic spilling onto the adjacent road close to the junction with Broadwater Way.
xxi) On-street parking congestion will make it difficult for emergency vehicles.
xxii) The existing house is beautiful and adds a great deal to the area.
xxiii) The flats would tower over the adjacent bungalow in Hawthorn Road.
xxiv) The adjacent roads are used for working people to park all day on both sides making it impossible for two cars to pass.
xxv) This is a greedy application which will not enhance the area.
xxvi) The demolition of this attractive and sound property is destructive wastefulness.
xxvii) The existing house fits comfortably into the area and is in keeping with the other properties.

xxviii) The flats will almost certainly be rented which always causes problems of nuisance for neighbouring residents from noise and selfish behaviour from people who do not have an interest in the area.
xxix) The proposal would introduce an incongruous building on a prominent corner which would detract from the amenities of the area by paving over grassed areas and removing mature trees and hedges as well as the other noisy associated activities.
xxx) There are more appropriate brownfield sites without demolishing a substantial character family property.
xxxi) The development of flats at Downsview Manor has already changed the character of the road and the affect of another modern block of flats would overwhelm the road and its character and ambience.
xxxii) If there is an event on Broadwater Green the whole of the area becomes heavily congested and gridlocked and buses have difficulty in passing through the area.
xxxiii) The flats would add to the light pollution within this residential area.
xxxiv) The development would be damaging to local fauna and flora.
xxxv) If permission is granted it will set a precedent for the redevelopment of adjacent sites.
xxxvi) The proposal would clearly be an overdevelopment of this small site.
xxxvii) The development would decrease the value of other properties in the area.
xxxviii) Cissbury Road is often blocked by queuing traffic and this development will only make matters worse.
xxxix) The development will put an additional strain upon the local resources.

In addition, a letter has been received from the Chairman of the Downsview Residential Association who objects for the following reasons:-

i) An additional seven dwellings in this congested area would be the tipping point with traffic at a standstill ever since Charmandean became a major artery as a result of Broadwater Street East becoming one way.
ii) When the Post Office on the corner became an undertakers, it created another bottleneck with staff parking and funeral cars.
iii) When No. 1 Cissbury Road was converted from a house to a home for handicapped people it resulted in staff and visitors parking on-street and adding to the congestion.
iv) When the car park at the back of the Broadwater shops introduced charges it resulted in even more shop workers, shoppers and patients parking in Hawthorn Road, Hawthorn Crescent and Cissbury Road.
v) When Downsview Manor was built in 2002 it provided off-street parking for each flat and for visitors although exiting the site is difficult because of on-street parking.

A letter has also been received from the South Broadwater Residents' Association which objects for the following reasons:-

i) there is little difference in this proposal.
ii) It is the loss of a family house.
iii) The density is higher than before.
iv) There is no affordable housing.

v) Neighbours will lose amenity from overshadowing, overlooking, smells, fumes and noise.
vi) Previous applications and appeals on properties opposite should be considered.

The Broadwater Residents' Action Group has also objected for similar reasons and made the following additional comments:-

i) The previous appeal reasons for dismissal have not been addressed.
ii) There is even less detail in the current application so a decision cannot be made.
iii) The objections to the redevelopment of sites to the south equally apply in terms of scale, massing, design, character, residential amenity, parking, noise, access, planning policy and affordable housing.
iv) The parking problems in Cissbury Road have become worse since the development of Downsview Manor.

A letter of objection has also been received from the adjacent care home at No. 1 Charmandean Road comprising the following comments:-

"I am writing to lodge an objection for the proposed plans to develop the site at No. 3Charmandean Road, into a building housing eight flats. As the manager of the residential care home situated directly next door to the proposed development I am conveying not only my views on the matter, but also the views of the eight service users who reside at No. 1 Charmandean Road.

Our concerns are as follows:-

i) We are very worried about the outline plans for the proposed development, as we can see that this new dwelling would have a direct impact on the current peace and ambience of our home due to the number of proposed flats. As a residential service for adults with profound and multiple disabilities, it is imperative that disturbance is kept to a minimum. We feel that having eight flats next door to use, within such a close proximity is undoubtedly going to cause an increase in noise levels, traffic levels and activity from all the coming and going of the residents and their visitors.
ii) On the plans and current site layout it is clear that the bin store, bike store and car parking spaces are situated directly alongside our secluded garden. The garden is a place where our service users like to relax and spend time outside, free from the disturbances of day to day life. It would be our concern that the current peaceful surroundings would undoubtedly be put in jeopardy due to these communal areas being in such close proximity to our garden.
iii) We would like to raise a concern about vehicular activity within the car park causing fumes, noise and light pollution. This would affect not only the secluded areas of our garden, but also the bedrooms at the rear of our property, where our most profoundly disabled service users reside. Light pollution would be most significant at night time, when cars enter and exit the car park.

iv) *The bin store, which would be next to the area where our residents sit whilst out in the garden, would present potential smells and pest problems from flies, foxes and rodents. Having enough bins to cater for eight flats would increase this risk to an unsatisfactory level. We also note that on the proposed site plan, insufficient manoeuvring space has been allowed for immediately in front of the bin and cycle store, for access to the parking spaces closest to our boundary. It is clear that should this plan be considered in more detail, it will inevitably result in the bin and cycle store being moved even closer to our garden, further impacting on our amenity space.*

v) *As the plans for the proposed development are only an outline, it is therefore difficult for us to make an overall judgement on the design features and detailing of the outside of the building. We do, however, have concerns that the development will not stay true to the current rhythm and architectural design of the majority of other properties in Charmandean Road. One of the reasons that our service users enjoy living in this road is its predominantly residential atmosphere. We are already overlooked by a mass development of flats, situated on the west side of our house, so to have another block to the east side would exacerbate the sense of enclosure.*

vi) *Service users and their representatives have already expressed concerns regarding the proposed development next door, not only with the potential block of eight flats, but the undoubted disturbance that their construction would cause. I would be very concerned that such a profound alteration to the current living surroundings and ambience of Charmandean Road, could result in residents seeking alternative accommodation and potential new occupants being discouraged from living within my care home. This could potentially have a profound effect on the running of my business and the employment opportunities and support to other local businesses within Broadwater that we are currently offering.*

vii) *Since the introduction of charges within the local car parks in Broadwater, we have noticed a distinct increase to the amount of cars using Charmandean Road and Hawthorne Road for parking. Given that the overall allocation for parking within the proposed development is only nine spaces, it is inevitable that there will be a necessity for residents within the flats (and their visitors) to use the neighbouring streets to park their cars. Given the fact that we currently struggle to find parking for our disabled vehicles, we are very concerned that this will become even more of an issue of this development goes ahead.*

We hope that you duly consider our objection to this development and we hope that you will take into consideration all the points that we have made."

6. RELEVANT PLANNING HISTORY

The previous application, WB/09/0375/OUT, was an outline application for the demolition of the existing house and construction of ten flats, comprising 8 x one bedroom and 2 x two bedroom flats. This application was refused on the 14th July 2009 for the following reason:-

'The proposed development, due to its design, scale, density, orientation, position and use of materials, would be out of sympathy with the character and appearance of the area and the streetscene, resulting in the loss of existing planting, and an incongruous building on a prominent corner which would detract from the amenities of neighbouring residential properties due to the level of occupancy and associated noise and disturbance relating to general vehicular and pedestrian movements and activities associated with parking, manoeuvring, dustbin and cycle storage.'

The applicant subsequently lodged an appeal which was dismissed on the 15th March 2010. The Inspector dismissed the appeal on the basis that the proposal would harm the character and appearance of the surrounding area. However, he did not consider that the development would result in the loss of amenity for neighbours due to noise, overlooking, smell, security, parking, highway safety or flooding.

7. PLANNING ASSESSMENT

The main considerations are the principle of redevelopment for flats, density, design, the impact on residential amenities, loss of landscaping, impact on wildlife, access and parking. As such the application should be considered against saved Worthing Local Plan Policies BE1, RES12, RES7, TR9, H10 and H18, emerging Core Strategy Policies 7, 8, 9, 10 and 16, and the recently reinstated South East Plan Policies SP3, CC1, CC2, CC4, CC6, CC7, H1, H2, H4, H5, T2, T4, NRM5, NRM10, NRM11, W2, BE1, BE2 and BE3 plus Government policy in PPS1 : Delivering Sustainable Development, Supplement to PPS1, PPS3 : Housing, PPG13 : Transport, PPG17 : Planning for Open Space, Sport and Recreation, PPS22 : Renewable Energy and PPG24 : Planning and Noise as well as allied design and other guidance.

The principle of redevelopment to flats

As a brownfield site the Planning Inspector, in dealing with the previous appeal, had no objection to a more intensive form of residential development in this location. However, in terms of character, there are few flats within the immediate area. The most notable flat development is Downsview Manor to the west which was approved in February 2000 (WB/99/010333 refers). More recently, there have been applications for flats redevelopment of properties opposite where three appeals were dismissed, including one immediately opposite at No. 14 Charmandean Road (WB/08/0724/FULL refers), and before that at Nos. 4-10 Charmandean Road in November 2007 (WB/06/1399 refers). In neither case did the Inspector consider that the principle of flats development was unacceptable but the appeals were dismissed for other reasons.

Density

The site is 0.073 hectare and the proposed density is 109 dwellings per hectare. The density and number of flats is less than the previous application which comprised 8 x one bedroom and 2 x two bedroom flats. However, the current proposal is for 8 x two bedroom flats which are capable of

accommodating more occupiers. Furthermore, it should be noted that the current building is only slightly smaller being 0.2 metre narrower and 0.1 metre shorter in length, than the former proposal. Whilst high density in itself is not a reason for refusal, it nevertheless often translates into an over-development of a site, which is sometimes reflected in the height, design and site coverage of development.

Reference has been made to Downsview Manor to the west. This replaced a large scale unattractive nursing home and was approved in 2000. Previous applicants have drawn reference to it, as has the current applicant. However, the Inspector acknowledged that it had replaced a previous large scale and unattractive building and is so clearly out of scale with surrounding development that it should not be emulated.

Once again, the applicant has attempted to disguise the increase in density by maintaining similar ridge heights and building lines to other properties in Charmandean Road, such as No. 1 Charmandean Road. Nevertheless, there are clear signs of an increased density on site in terms of the width and depth of the proposed building resulting in the creation of a shallow building line in Hawthorn Road of about 1 metre. The Inspector was particularly critical of this in addressing the appeal and commented that, added to the loss of the rear garden for access and parking, he considered that the spacious feel to this prominent corner position would be largely lost and judged that the building would appear overlarge and dominant because of its increased bulk, notwithstanding the varied character of the area. He noted that this would also result in the loss of important and mature tree and shrub planting on the boundary to the detriment of the site's appearance.

In addition, since this appeal decision, the Borough Council's Core Strategy has progressed and has gained significant weight. Policy 9 seeks to ensure the retention of the existing housing stock, unless the proposal results in a net increase in the family housing stock or the housing and its environment is of an unacceptable standard which cannot be improved. The English Partnership's Design Quality Standards of 2007 specify that the minimum internal floor areas in relation to bedrooms and occupancy for a 2 bedroom/3 person home should be 66m². The largest flat on the ground floor is 64m² with four of the flats being less than 60m². There are no flats with private gardens. Therefore, the conclusion is that the proposal would not be providing a net increase in family housing with the loss of the existing house. Although the redevelopment of 8 flats would comply with Policy 7 as additions to the housing stock this factor would not override the basic conflict with Policy 9.

Design and character

This part of Charmandean Road, both on the south side as well as the application property and No. 1, gives it its local architectural distinctiveness with the attractive Jacobean style which the Inspector noted as giving this part of the road a unique identity. Whilst 'appearance' is one of the reserved matters for future consideration, the applicant has given an indication of the scale of the building in his indicative elevations. These illustrations omit openings and design details (which would be under the heading of

'appearance') but show gables and bays. The application forms also suggest brick finishes and a tiled roof.

The Inspector acknowledged that the appeal proposal had some design interest in the front elevation but stated that the overall design did not adequately reflect the visual appeal of the existing building which arises from the combination of the mix of materials, the detailing and the use of three dimensional features. In his Design and Access Statement the applicant has expressed a willingness to incorporate various of these design features into the building such as mock-Tudor stucco, brick details with tile hanging and casement windows.

The Inspector was also critical of the fact that there was no front entrance with the Charmandean frontage proposed to be closed off to act as an enclosed private rear garden. The current layout shows a front entrance door served by a retained vehicular access and a proposed pedestrian garden entrance.

However, the existing pyramidal roof, as illustrated on the indicative elevations, would be replaced with a long ridged roof line running parallel with Charmandean Road. This may well be flat roofed in part to create the accommodation. This would be at odds with the general form and profile of this group of Jacobethan properties which would further detract from the unique character. Although appearance will have to be considered at reserved matters stage, it does suggest that there may be design issues with the actual mass and form of the final building which would appear to be bulky and too close to the Hawthorn Road boundary, which was not acceptable to the appeal Inspector.

Whilst the submitted plans suggest that most of the trees within the site would be retained, three along the eastern boundary are proposed to be removed. The views of the Council's Arboriculturist are awaited but his comments on the previous application suggested the possibility of making a Tree Preservation Order to protect the ash and the cherry trees. He also suggested that the building should be moved further away from the eastern boundary in order that a meaningful screen of shrubs can be grown.

As already referred to within the density section above, the coverage of the northern half of the site with parking and stores for bicycles and bins, would seriously detract from the character and appearance of the site and the streetscene because it would be clearly open to view in Hawthorn Road and be alien to the general domestic character of individual residential homes in the area. As a consequence, the site lacks any cohesive and useable areas of amenity space for residents with small pockets created between parking spaces and around the bin and cycle store.

Impact on residential amenity

The applicant has attempted to confine the size of the proposed building to the depth of the adjacent No. 1 Charmandean Road which operates as a care home. Despite the fact that the proposed building would extend slightly beyond the front and rear elevations of No. 1, the Inspector did not consider that there would be a serious breach of the building line or that the proposed

building would be overbearing or cause over-shadowing of neighbouring properties. No windows are shown within the elevations and so it is not possible to establish whether any loss of privacy would result at this stage.

In terms of the relationship of the proposed building with No. 5 Hawthorn Close to the north, given the probable distance from the upper windows to this bungalow with the retention of the planting along this northern boundary, the Inspector suggested that no adverse overlooking and loss of privacy would occur from new development in this position.

Similarly, although the reason for refusing the previous application included the potential for the proposed car park and stores to give rise to noise and disturbance and affect the amenities of both No. 1 Charmandean Road and No. 5 Hawthorn Road, the Inspector did not consider this sufficient reason, of itself, to refuse the application. The current proposal is very similar in this respect.

Loss of landscaping and the effect on wildlife

Despite comments regarding the quality of wildlife within this garden, apart from the obvious loss of some trees, the plans suggest that most of the trees and areas of boundary planting would be retained and would not result in a significant loss of landscaping or wildlife. However, the Council's Arboriculturist has commented on the position of the building close to the western and eastern boundaries and the loss of important planting, which contributes to local amenity, without providing sufficient space for meaningful replacement planting in the new development.

Access

The Highway Authority raises no objection to the current proposal in terms of the point of access from a highway safety point of view. However, it does state that, assessed against the recent WSCC Parking Demand Calculator, 11 parking spaces would be required and only 8 are proposed. Although the County Council does not consider that this would generate safety concerns, it does state that it is a matter for the Local Planning Authority to consider. As a result of this, there is concern about the parking provision now that the proposal is for 8 x two bedroom flats compared to the previous 8 x one bedroom and 2 x two bedroom flats. It is likely that owing to the likelihood of a larger number of residents, the demand for car parking is therefore likely to be greater. On this basis, it is not considered that the applicant has provided enough spaces and an objection is raised, even though the design of the car park could be changed to introduce additional spaces.

The County Council also recommend that provision is made for cycle storage and recommends that a transport contribution of £5,715 be made towards improvements within the area. The site is in a sustainable location, close to the Broadwater shopping centre and public transport with good footpath links along Broadwater Way to the rear of the shops where opportunities for improvements exist. The Highway Authority also recommends conditions in relation to visibility, prevention of surface water drainage onto the highway, vehicle parking and turning.

8. CONCLUSION

The applicant has excluded external appearance, including internal accommodation details, from this outline application. However, scale is for formal consideration and the submitted details demonstrate that the likely form of the building would be too bulky for the site and detrimental to the character and amenities of the area resulting in loss of mature planting on this prominent corner site. Furthermore, the proposal would result in the loss of a family house and it is not considered that sufficient on-site car parking would be provided to meet the demand for two bedroom family units.

9. RECOMMENDATION

Refuse on the grounds that:-

1. The proposed development, as illustrated, due to its scale and position and the loss of planting on this prominent corner site, would detract from the character and appearance of this unique group of properties and the area. As such the proposal would conflict with saved Local Plan Policy BE1, Core Strategy Policy 16 and South East Plan Policies H5, BE1 and BE2.

2. The proposed development would result in the loss of family housing and as such is contrary to Core Strategy Policy 9.

3. The development would not provide adequate on-site parking to meet the expected demand from the occupiers of the flats and as such is contrary to saved Worthing Local Plan Policy TR9, Core Strategy Policy 19 and South East Plan Policy T4.

10. BACKGROUND PAPERS

Observations of the Highway Authority
Observations of the Planning Policy Manager
Observations of the Executive Head of Health, Housing and Community Safety
Observations of the Environment Agency
Observations of the Council's Arboriculturist
Letters of Representation from Members of the Public

2nd March 2011