Development Control – Delegated Officer Report

Application Number: AWDM/0286/13 Recommendation –Refuse

Site: 13 Victoria Road Southwick

Proposal: Erection of single storey dwelling to rear of 13 Victoria Road

Date of site visit: 2nd April 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is the rear part of the garden relating to no. 13 Victoria Road, Southwick. The main dwelling has been sub divided into two flats. The ground floor flat has the benefit of a rear patio directly to the rear of the building enclosed by the existing garage building. The application site is fenced off and is currently not used by the occupiers of the flats. It contains a shed/outbuilding which is in a poor state of repair.

No. 13 Victoria Road is a substantial semi detached Victoria property within a street of similar buildings. It is near the end of the street, to the north are more modern detached buildings containing flats. Abutting the site to the north and east are the rear gardens of dwellings in Park Lane.

Permission is sought to remove the existing shed building and to build a single storey one bedroom dwelling with shallow pitched roof. The existing detached garage at the site will also be demolished and the space will provide a single parking space for the dwelling. It is proposed that the parking arrangement for the flats and the garden ancillary to the ground floor flat will remain unchanged.

Consultations: - West Sussex County Council as the Highway Authority have advised that a vehicle parked at the new parking space will not be able to exit through the driveway if the existing space is being used. Nevertheless basing the application on its own merits, it is a small 1 bedroom dwelling that is unlikely to cause a significant intensification to the shared driveway. There is available on street parking locally, however whilst these are no concerns form a highway safety aspect the LPA may wish to consider the impact this 1 bedroom dwelling would have on parking form an amenity point of view. The area is within a sustainable location within walking distance to public transport links which is envisaged to mitigate the need for a private car. It is advised that covered secured cycle facility is available and conditioned to offer alternative means of transport. TAD £1,350 required.

Representations: 3 objections have been received from owner/occupiers of nos. 11 and 15 Victoria Road and 3 Park Lane raising the following points: -

- The design is not in character with the surrounding Victorian properties.
- There is no capacity for additional parking on Victoria Road.
- Parking provision will not be increased on site as properties are blocked in within the access. Increased noise and fumes in the garden area.
- Overdevelopment of the rear garden.
- Loss of privacy.
- Trees on site will be affected.
- No. 13 is currently divided into two flats.
- The new building will overhang boundary wall and wall could become unstable.
- Loss of garden would have disruptive effect on air quality, wildlife and the eco-system.
- The new dwelling would have limited amenity space.
- New dwelling would have poor accommodation with limited light and restricted outlook.
- Out of keeping with the residential character of the neighbourhood which falls just outside the Conservation Area.
- Set a precedent for future development.
- Too close to boundaries.
- Loss of privacy to adjacent dwellings.
- Concern that the dwelling would be used for council accommodation.
- Concern that this is for financial gain.
- There are errors on the application forms and drawings.
- Congestion on shared driveway.
- How are services to be implemented and will there be disruption.
- Design of dwelling not inkeeping.
- Are the police informed of the proposal due to the amount of attendance the emergency services have had at the property over the last 7 years.

Relevant Planning Policies
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2 Supplementary Planning Guidance' comprising: Internal Space Standards
Development Control Standard No.2 Space Around New Dwellings and Flats.
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The application site is a fenced off area of rear garden ancillary to the main dwelling No.13 Victoria Road, which has been sub-divided into two flats. Although the application site area is not currently used as garden, for the purpose of this application it is classified as such. Although there is not an embargo on the development of this type of 'greenfield' land, it is not prioritised for development.

The main issues for consideration here are the impact on the character and appearance of the locality, impact on the residential amenities of the

occupiers of the adjacent dwellings, the impact on the residential amenities of the future occupiers of the dwelling and parking and highway issues.

Visual amenity, Design and Character

The dwelling will not be clearly visible within the street scene. However with the proposal to demolish the existing garage there may be some glimpses of the building and into the site from the street. Despite this it is considered that the principle of the redevelopment of the rear of the garden area with a new dwelling will erode the established character of the area. This side of the street is characterised by substantial dwellings with long rear gardens there are some ancillary, domestic sheds and outbuildings within rear gardens. The division of the land to form a new residential curtilage with associated vehicular and pedestrian access will be detrimental to the established pattern and character of the surrounding development. The footprint of the building will cover a large proportion of the garden area representing a cramped form of development. It will result in an undesirable intensification of residential development which is not compatible with the existing development in the locality.

Should permission be granted there would be little justification to refuse any further similar proposals on this side of the street which all have similar property layouts with matching rear garden sizes and shared accesses. This would significantly impact on the environmental and residential character of the locality.

It is noted that there is a dwelling to the rear of no. 16 Victoria Road opposite the site which as permitted in February 2007, ADC/0062/07. This is a very different site with a much longer rear garden which does not represent such a cramped form of development. Moreover, garden land was identified as ‘brownfield’ at that time, but is no longer seen as a priority for development. This existence of this dwelling in wholly different circumstances does not set a precedent for the current proposal.

The design of the dwelling although of simple form does not have any significant merit. The form of the building being single storey, rendered with a very shallow pitch roof does not relate to any of the surrounding building in design, form or scale. The design appears to be contrived to fit into a small, limited site area. The agent has justified the design proposed by stating that the ground level is to be reduced and the eaves and roof slope are limited to reduce the amount of building visible above adjacent walls. However it is highly unsympathetic in appearance and would conflict with the existing established character of the area. The building is divided into two components with different material finishes, white render treatment and horizontal timber board cladding. The agent has stated that this is to break up the overall visual mass of the structure and to provide a building that will have differing visual appearances when viewed from the front and the sides. The roof is to be finished with composite slate tiles. The proposed dwelling is shown on the site plan to fill the entire width of the site with the side walls abutting the existing fences/historic boundary walls. Therefore there would be no scope to render or treat these walls in the way proposed. This is further evidence that the dwelling as proposed is overdevelopment of the site and a highly inappropriate, cramped form of development.

Residential amenity – proposed dwelling

The new dwelling appears to comply with the Council's Internal Space Standards and space required for garden area. It will however, due to its cramped siting, close proximity to adjacent dwellings, lack of parking provision and narrow access would result in a poor standard of living accommodation for the future occupiers. The only outlook from the dwelling is from the bedroom and living room at the front of the site. There is no scope for any other openings or outlook (other than very small narrow roof lights) due to the maximised use of the site with the building tightly abutting the site boundaries on three sides. The outlook from the lounge will be onto a fence at a distance of 6 metres. The outlook from the bedroom is toward the side fence at a distance of 3.6 metres. The fence is required for separation between the existing dwelling no. 13 Victoria Road and the curtilage of the new dwelling. This will provide a poor standard of accommodation with an overwhelming sense of enclosure for any future occupiers. The limited garden depth, distance between dwellings, outlook and oppressive boundary fence are further evidence that this is overdevelopment of the site. The lack of road frontage and proper access to the new dwelling also contribute to an unsatisfactory standard of accommodation.

Residential amenity – surrounding dwellings

The proposed dwelling will be visible when viewed from the surrounding residential dwellings. Namely no. 12 Victoria Road the attached dwelling to the west, no. 11 Victoria Road to the east and nos. 3 and 5 Park Lane whose gardens will directly abut the side and rear of the proposed building.

The building will be in close proximity to the rear gardens of nos. 1, 3 and 5 Park Close and no. 12 Victoria Road. Although it is not considered that the scale of the building will give rise to any significant negative impact it is considered that the principle of this development within an adjacent garden area would be unneighbourly. The noise and activities associated with such a use within such close proximity are considered inappropriate within the context of this locality.

The main concern is the impact on the occupiers of no. 11 Victoria Road. The front door of this dwelling is on the side facing directly onto the side access of no. 13. This access is currently very narrow and allows access to the garages to the rear of nos. 11 and 9 Victoria Road and provision of one parking space and access to the garage at the application site. (This garage is to be removed to allow parking for one vehicle in association with the new dwelling.)

As stated above no. 13 is currently divided into two flats and with the proposed new dwelling there will be three separate households with associated activities using the side access to enter their properties and for parking. This is considered to be a congested and unneighbourly arrangement which would be detrimental to the residential amenities of the occupiers of the existing flats and the adjacent dwelling, no. 11. There would be increased noise and disturbance in close proximity to living and amenity space which would adversely affect the privacy and quiet enjoyment of neighbouring properties.

Accessibility and parking

The submitted plans show the access between nos.11 and 13 as shared with labels indicating there is parking for 6 vehicles. When visiting the site it is clear that currently there is only parking for one vehicle associated with no. 13 to the rear of the existing garage. The other parking spaces indicated on the plan are at no. 11 and not within the red line site area. It is stated that the demolition of the garage will give rise to an additional parking space. With the existing car parking space behind to remain, in practice these two parking spaces could not be used with the occupier of the new dwelling having their car blocked in whenever the rear parking space is being used. Only one parking space would therefore remain to accommodate 3 dwellings. There is limited on street parking within Victoria Road and therefore this is likely to give rise to parking congestion which would lead to impact on residential amenity and the degradation of the existing residential character of the locality. The poor parking provision and narrow access drive ancillary to the new dwelling are unacceptable.

Recommendation

REFUSE for the reason:-

1. Owing to the limited space available the proposal represents an overdevelopment of this restricted site by reason of its scale, congested layout and excessive plot coverage, giving rise to an inappropriate form of 'backland' development, which when combined with associated activity would be detrimental to the residential amenities of the occupiers of the adjacent dwellings and the environmental character of the area. It is therefore contrary to saved policy AH2 of the Adur District Local Plan.

2. By reason of its cramped layout and constrained outlook the proposed 'backland' development would provide an unacceptably poor standard of living accommodation for future occupiers contrary to saved policy AH2 of the Adur District Local Plan.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Hannah Barker Date: 5th June 2013

Authorised by: Jo Morin Date: 11 June 2013