Development Management - Delegated Officer Report

Application Number: AWDM/0836/22 Recommendation – Approve

Site: 44 Brighton Road, Lancing

Proposal: Reorientation and alteration of an approved 2 bedroom dwelling (amendment to planning permission reference AWDM/1394/21).

Date of site visit: Visited previously

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Permission was granted in 2021 for a 2 bedroom dwelling in the front garden of No.44 (AWDM/1394/21). No. 44 is a detached dwelling set back from Brighton Road by approximately 35m. It forms a line with several houses along this stretch of the road which are all set back from the road, to the west. However, to the east, 46 and 46A has dwelling in front of them (No. 48) and there is then a line of dwellings fronting the road as one travels east.

No. 42, directly to the west, has recently obtained planning permission to replace the dwelling with a single dwelling, plus detached garage in the front garden with accommodation above (2 storeys) (AWDM/0923/21).

This application proposes to rotate the building 90 degrees so that solar panels can be attached to the southern roof. It also seeks to alter the approved materials from timber to a mix of timber with render. The zinc metal roof has been replaced with Thrutone Fibre Cement Slates. There is no change to the size, height or massing of the dwelling from the approved scheme.

The reorientation of the building will mean that the gabled ends of the building will face east and west (to the sides) rather than north and south (front and rear).

Relevant Planning History

AWDM/0716/21 - New front porch; replacement of conservatory with new single-storey rear 'orangery' extension and covered terrace at first floor; new cladding to all elevations; change to rear garden levels to form terraced raised decking; new boundary walls to rear garden - approved

AWDM/1288/20 - Demolition of existing bungalow and construction of 2 detached 4 bedroom dwellings over 3 storeys each with detached garages and associated landscaping works (42 Brighton Road) - approved

AWDM/0923/21 - Demolition of existing dwelling and construction of a 4-bedroom detached dwelling over 3 levels with rear terrace and associated

works. New outbuilding with raised terrace to the south. New detached garage with guest bedroom over and cycle store to the north (42 Brighton Road) - approved

AWDM/0063/20 - Construction of 8no. flats (4 x 2 bed and 4 x 3 bed) within 2 storey building and 1no. 2 bed flat (9 in total) within link-detached single storey building, with 12no. parking spaces, 10no. cycle spaces, bin store, amenity space and landscaping (Land fronting The Haven) - appeal allowed

AWDM/1941/21 - First floor front extension onto balcony, two storey front porch; re-roofing of house in metal standing seam sheets; replacement of rear conservatory with pergola with louvred roof over terrace at first floor; new cladding to all elevations; change to rear garden levels to form terraced raised decking; new boundary walls to rear garden (Amended Resubmission of AWDM/0716/21) - approved

AWDM/0384/22 - Construction of 7no. 3 bed dwellings within a terrace of 2 storey buildings with accommodation in the roof space and 14no. parking spaces, 20no. cycle spaces and associated works including landscaping (Land fronting The Haven) - approved

Consultations

West Sussex County Council: Highways: For the current application, the applicant proposes a reorientation of the approved dwelling, with an altered internal layout. The proposed changes do not significantly affect the LHAs original comments for application AWDM/1394/21, of which no highway safety concerns were raised. Therefore, the LHA raise no objections to the proposed amendments for the current application. The Local Planning Authority (LHA) is advised to refer to the LHAs consultation response for application AWDM/1394/21, dated 16/08/2021, for highway specific comments and recommended conditions.

Original Comments:

Access and Visibility The applicant proposes to utilise the existing vehicular access on Brighton Road for this development. The LHA does not anticipate that the addition of one dwelling would give rise to a material intensification of use of the existing access. From inspection of local mapping, there are no apparent visibility issues with the existing point of access onto Brighton Road. An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents attributed to road layout within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.
Parking and Turning The applicant proposes a parking area with room for two car parking spaces. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least two car parking spaces. Therefore, the LHA considers the proposed parking provision to be sufficient. The shared driveway can be utilised for on-site turning to be achievable, allowing cars to exit the site in a forward gear. In addition, two car parking spaces with a turning area will be provided for the existing dwelling also. In the interests of sustainability and as a result of the Government's

‘Road to Zero’ strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide ‘passive’ provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below. Regarding cycles, the applicant has not provided details of secure and covered cycle storage. The LHA would like to see cycle parking being implemented, in accordance with WSCC parking standards (one cycle space). The inclusion of cycle parking helps promote the use of sustainable transport methods.
Sustainability The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. The site is also well connected by public transport, with regular bus connections available from Brighton Road. Lancing Train Station is located approximately 1km northwest of the site.
Conclusion The 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, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Conditions: car parking, cycle parking, EV charging spaces

Adur and Worthing Councils: Technical Services: Flood risk- The proposed dwelling is within flood zone 1, and the site is not shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds. Surface water drainage- This is okay in principle. Please apply the standard condition to ensure the development is adequately drained.

EHO PSH: I reiterate our comments for the application AWDM/1394/21 Please could the following informative be placed on any planning permission that may be granted:

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include ‘inner’ rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. In this case, the escape in the means of fire from the galleried first floor bedrooms is via the open plan kitchen living area and so they are inner rooms. Fire escape windows from first floor or above are not acceptable under the Housing Act 2004. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

EHO Public Health: Regarding this application, the location does not present as brownfield land or disclose any historic use indicating contamination on the

site. The site is not within an AQMA and there are no indications of Environmental Health concern. However to regulate construction noise impacts on adjacent properties the following construction site work hours are recommended: Works of construction or demolition, including the use of plant 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 Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Further to my original comments on this application, regard to the impact of traffic noise should be incorporated for this development. The following recommendation is proposed:*The dwelling applied for shall not be occupied unless and until an acoustic assessment has been submitted to and agreed by the Local Planning Authority in respect of the exact noise exposure of the dwellings to traffic noise and an allied scheme prepared to protect the habitable rooms from excess noise in relation to British Standard BS 8233: 2014: Guidance. Any acoustic scheme shall include mechanical MVHR ventilation. The approved assessment and mitigation scheme shall be implemented prior to first occupation of any dwelling and retained thereafter*.

Southern Water: The exact position of the foul rising main must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. - The foul rising main requires a minimum clearance of 3 metres on either side of the rising main 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 rising main without consent from Southern Water. - No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public rising mains. - All existing infrastructure should be protected during the course of construction works.

Lancing Parish Council: No comment

Representations

Letter of objection received from the occupiers of 48 Brighton Road (to the east):

- Suffered from constant noise from building works
- Fear that hedge will be removed
- Gable windows now proposed to sides overlooking our property - these must be frosted

Relevant Planning Policies

Adur Local Plan 2017 Policies 2, 3, 15, 18, 20, 22, 28, 34, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)

West Sussex ‘Guidance on Parking at New Developments’ and ‘Parking Demand Calculator’ (WSCC 2019)
Technical Housing Standards – nationally described space standard (DCLG 2015)
National Planning Policy Framework (July 2021)

Planning Assessment

Principle

The proposal comprises new housing located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the site and its surroundings.

Visual amenity and character

The siting of a dwelling in front of another (tandem development) already exists immediately to the east of the site. Furthermore, travelling eastwards from that dwelling, there is a line of dwellings fronting Brighton Road. More recently, an appeal has been allowed for a proposal to site flats in front of The Haven, fronting Brighton Road, with a subsequent amendment to that approval to build a terrace of dwellings. It is clear, therefore, that the siting of a dwelling on this site in front of 44 Brighton Road and fronting Brighton Road, would not be out of character or visually harmful in principle. The Inspector, in his decision letter for The Haven, stated that “*the need for housing is urgent and a step change in delivery is required*.” He went on to state that “*Even relatively small sites such as this can contribute to addressing the current housing shortfall*.”

As such, the principle of developing this site for housing is accepted, particularly as visual harm is not likely to arise. This assessment led to approval being granted under reference AWDM/1394/21.

As now proposed, the scale of the proposed building reflects that of the dwelling to the east (No.48) and it is to be sited on roughly the same line as that building. However, its reorientation means that it will have a hipped roof fronting the road rather than the gable previously approved and will no longer match the gable at No.44. This is not considered to be a sufficient reason to refuse the amendment however as there is a mix of roof forms fronting Brighton Road and the building approved to the west at No. 42 has a square form.

Its use of timber, render and slates will be acceptable in a street scene where there is an eclectic mix of architecture.

The front elevation would be quite plain, with minimal openings, other than rooflights. It will have a simple appearance and will respect the scale and form of other buildings in the area. It is not considered that visual harm would be caused by this development.

Residential amenity - proposed occupiers

The dwelling will have a floor area of 116m2 which comfortably exceeds the national minimum standard for a 2 bed house. The rear garden will have an area of 90sqm which also exceeds the Council's amenity space standards.

The dwelling would be sited close to the busy A259 Brighton Road where traffic noise is likely to be an issue for any future occupier. The EHO has recommended that an acoustic assessment is carried out to ascertain the extent of noise exposure and to provide a mitigation scheme, usually in the form of acoustic double glazing and MVHR. This can be secured by condition.

Residential amenity - existing occupiers

The house will be positioned 20m from the front of 44 Brighton Road. This is slightly below the recommended standard of 22m but the rear elevation of the new dwelling will contain only rooflights on the upper floor and it is considered that no harmful loss of privacy or overlooking will occur. The main openings are to the side, within the gable ends, and these will face towards the blank roofslope of 46A Brighton Road to the east and across the garden of No. 42 to the west (note - the approval for the garage with accommodation above in the front garden of No.44 shows no windows in the side elevation facing this site). A condition to require the side windows to be obscure glazed is not considered to be necessary as a result as there will be no views towards windows or private amenity areas on adjoining land.

The position of the building and its separation from the house behind means that it will not cause undue overshadowing or loss of light/outlook.

The existing hedge on the eastern boundary with 46A is to be retained and this can be protected by condition.

Parking and Access

The applicant has stated that one parking space is to be provided in front of the house, using the existing access. WSCC have advised that there is sufficient space for 2 cars, which would meet the parking requirement for a 2 bed dwelling. The shared driveway can be utilised for on-site turning to be achievable, allowing cars to exit the site in a forward gear. In addition, two car parking spaces with a turning area will be provided for the existing dwelling also.

EV charging spaces and cycle parking can be secured by condition. There are no highway safety or parking concerns.

Sustainability/biodiversity

The application includes an energy statement which states that the following will be included:

Solar panels to be installed on the roof for use by occupants. Previously the solar panels on the south roof of the Casa Blanca dwelling were proposed for both properties. Water consumption is to be reduced to 100 litres per day.

Using these measures, the statement advises that the development will achieve a minimum of 10% of energy needs from onsite renewable energy generation and achieve a minimum 31% CO2 reduction.

The rear garden area is to be formed of paving with new boundary planting and a rendered boundary wall. An area of lawn is proposed and the applicant's agent has confirmed that bat and bird boxes and a hedgehog hole are proposed. New native boundary planting is also proposed along the rear (southern) boundary of the site.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Drainage
4. Noise protection
5. Hours of construction
6. Car parking
7. Cycle parking
8. EV charging spaces
9. CMP
10. Materials
11. Sustainability and Biodiversity
12. Removal of PD
13. Hedge protection
14. Landscaping

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer:	Peter Barnett	Date: 1 July 2022
Authorised by:	Gary Peck	Date: 4 July 2022