Development Management – Delegated Officer Report

Application Number: AWDM1645/22 Recommendation: APPROVE

Site: Land North of 37 Western Road North Sompting, West Sussex

Proposal: Proposed new dwelling with car parking and alterations to the existing crossover. Demolition and removal of existing garage and shed.

Date of Site Visit: 22nd November 2022

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

The application relates to what was originally the side garden of a simple hipped roof semi detached bungalow, the bungalow has since been sold and the land retained by the previous owner. The property is on the west side of Western Road North opposite the junction with Osborne Road. The bungalow has a rear conservatory extension. The attached bungalow has a forward projecting front gable. This detail is repeated elsewhere in the street. The site has a crossover which opens onto zig zags in front of the pedestrian crossing outside the surgery to the north.

Both sides of the road southwards are characterised by bungalows. To the north of the site is the two storey Ball Tree Surgery building which is set further back from the road. The car park of this surgery extends behind the rear of the site. Slightly further north and on the opposite side of the road are three storey flats.

The site is not in a conservation area, is not listed and there are no protected trees on the site.

Consent was refused under AWDM/396/21 for a proposed two storey dwelling with 2 parking spaces and widening of existing crossover. It was refused for the following reasons: -

1. The proposal would be cramped within the plot, out of character in the streetscene and would provide inadequate private gardens for the proposed and existing houses. It would also be overbearing to the existing bungalow and harmful to light. It is therefore considered to be contrary to policies 15 and 22 of the Local Plan, adopted 'Development Management Standard No.1 Space Around Dwellings' and the National Planning Policy Framework.

2. It has not been adequately demonstrated that surface water from the development can be properly drained from the site. The proposal is therefore contrary to policy 36 of the Local Plan and the National Planning Policy Framework.

The current scheme is proposing a single storey dwelling with one bedroom, two off street parking spaces and a rear garden. A detached brick and tile traditional style dwelling with front gable projection. The dropped kerb is extended to the front of the property to include that of the existing bungalow and to provide 2 spaces for the proposed dwelling. Refuse and cycle storage are provided to the side of the dwelling.

Consultations

Southern Water: -

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

West Sussex County Council: The Highways Authority

The LHA previously provided consultation advice for a similar application at this site, AWDM/0396/21, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways. In addition, the LHA more recently provided advice for an extended access at this site, of which no highway safety concerns were raised – this application was permitted by the LPA.

Access and Visibility
The applicant proposed to widen the existing shared crossover to approximately 8.4m, with the access serving the proposed dwelling being 5.1m. The proposed access works will be subject to a licence obtained through the local Highway Area Office and would be constructed to a specification agreed with the local Highway Area Engineer. It should be noted that under Area Office guidance, when proposing

works for a shared access, the maximum allowable width of any one access is 4.5m per property from the centreline of the shared access. This is to maintain as much on-street parking as possible, although the LHA acknowledge that due to restrictions present on the carriageway in this location, vehicles would not park on-street in this location. Therefore, further dialogue may be required with the Area Office to determine the suitability of the proposed access widths. Nevertheless, there are no apparent visibility issues with the existing points of access on to the maintained highway. In addition, the proposed development is not anticipated to lead to a significant material intensification of movements to or from the site.

Parking and Turning
The applicant proposes two car parking spaces to serve the proposed dwelling. In addition, a single garage is to be demolished as part of the proposals, although the existing dwelling appears to have suitable parking provision available within their own site curtilage. The WSCC Car Parking Demand Calculator indicates that the proposed dwelling would require two car parking spaces. Therefore, the LHA is satisfied with the proposed amount of vehicular parking.
Given the recent changes to the Building Regulations Approved Document S (Infrastructure for the Charging of Electric Vehicles), it may be that the provision of EV charging is now covered under separate legislation to planning. Therefore, WSCC as Highway Authority have no comment to make upon the EV charging provision as a result of this planning application. However, the planning case officer should check whether the development is being built under the old Building Control regulations, in place prior to June 15th 2022, and if they are, it may be appropriate to secure EV charging provision through the planning process.
From inspection of the plans, the proposed parking area appears suitably sized to accommodate two parking spaces. On-site turning does not appear achievable, so vehicles may have to exit the site in a reverse gear. However, this is the existing arrangement and site affords suitable visibility in both directions. Regarding cycle parking, the applicant has demonstrated a cycle store which is suitably sized to accommodate secure cycle parking in accordance with WSCC Parking Standards.
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 location offers opportunities for sustainable travel, with regular bus services available from bus stops on nearby Cokeham Road. Lancing Train Station is situated approximately 1.8km southeast 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. If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

Car parking space (details approved) No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose. Reason: To provide car-parking space for the use.

Cycle parking No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Informative Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page: https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-cr ossovers-for-driveways-licence/ Online applications can be made at the link below, alternatively please call 01243 642105. https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-cr ossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/

Adur and Worthing Councils:

Environmental Health

Public Health: - No adverse comments

Private Sector Housing: - No objection in principle but the proposed dwelling is only 45 sqm as opposed to the 50 sqm for a 1 storey 1b/2p under the National technical space standards.

Technical Services: -

“Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the

extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy DM20 of the Worthing Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

And the accompanying informative:
"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%). Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers. Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

Sompting Parish Council: The Council has no objection to this revised application and is pleased that this is on a reduced scale to the previous application.

Representations

1 representation received from the owner/occupier of 37 Western Road North.

- It appears that the proposal covers the full dropped kerb access to my property. If this goes ahead it would need to be confirmed that access to my property and off road parking will not be inhibited or affected in any way. I was under the impression that the dropped kerb was for joint access and would most likely be extended to cover the new property keeping my access intact.

The applicant's agent has responded to this comment with the following: -

I can confirm that this will be addressed and that it was a slight error on our designs and will be corrected. Confirming your half is not part of our planning. I think it was

an oversight from when we had the curb dropped/extended. Thank you for pointing it out.

Relevant Planning Policies

Adur Local Plan 2017 Policy 1, 2, 3, 10, 15, 18, 20,21,22,35 and 36
'Supplementary Planning Guidance' comprising: Development Management Standard No. 1 'Space Around New Dwellings.'
Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
Technical Housing Standards 2015
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The principle of development can be supported as it creates a new house within the built up area boundary. For consideration is the impact of the proposal on the character and appearance of the area, neighbour amenity, existing and future occupiers living conditions, the highway network and drainage.

Character and Visual Amenity

The general character of this area is that of modest bungalows with a strong front building line. The bungalow adjacent to the site clearly delineates where housing ends. The surgery to the north of the site is separated from the site and is set further back in the street. There are three storey flats further to the north and on the opposite side of the road. The modest single storey bungalow will be consistent with the existing development within this street and follows the existing building line to the front and rear.

The previously refused proposal was considered to be uncomfortably close to the adjacent bungalow appearing cramped in the plot and street scene. Its height, design and position would appear as an incongruous end stop to this row of bungalows. "Its proportion, form, context, massing, siting, layout, density, height, size, scale, materials and detailed design features would all be out of keeping." The current scheme overcomes this by presenting a subservient, modest bungalow in keeping in style, design, scale and finish with those within the street scene.

The building is set in from either side of the site on the south side in excess of 1 metre therefore creating space between the existing bungalow and the proposed dwelling. To the north there is a smaller set in, a minimum of 0.25m. However on balance this is acceptable due to the positioning of the adjacent building to the north where there is space and separation. The building will not appear cramped or the site overdeveloped. This development makes good use of available land within a sustainable location.

Residential Amenity - Future Occupiers

The building provides suitable accommodation for a single person or couple with sufficient amenity space, parking, outlook and light.

The building provides 45 sqm of floor area, Internal Space Standards state that a one bedroom, two person house should provide 50 sqm of floor area. This shortfall is considered acceptable. This provision exceeds the requirements for a 1 person unit which is 39 sqm and on balance can therefore be supported. The dwelling could sufficiently accommodate a single person or couple.

When considering the previously refused application the garden size proposed was 54.7 sqm. Management Standard No. 1 states that a small semi detached and detached dwelling up to 3 bedrooms or 120 square metres should have a garden size of 85 sqm, therefore this was considered substandard. It was also considered that the existing garden provision at no. 37 as a result of the proposal would be reduced below standards and therefore unacceptable. Since this time the site is in separate ownership and therefore no. 37 no longer benefits from the land adjacent as amenity space, their garden is the space to the rear only. Therefore the loss of this amenity space is not a material consideration. The proposed dwelling will have 55sqm similar to the previous application. It therefore remains below the required 120 sqm for a detached dwelling. However this dwelling is 45 sqm and a single bedroom unit. The requirement for a 2 bed terraced dwelling is 50 sqm and the garden proposed here exceeds this. On balance it is considered that the proposed amenity space is sufficient and relative to those bungalows adjacent and ample provision for this single bedroom dwelling. No 37 has a garden area of 35 sqm, therefore the new dwelling is in character with those adjacent.

Residential Amenity - Existing Occupiers

The only property affected by the development would be no. 37 the adjacent neighbouring bungalow. The previous proposal was considered to be detrimental to this dwelling by obstructing light to a side facing window in it. This was a two storey building and therefore had a greater impact, the proposal at single storey and set in by 1.8 metres from the boundary will have a significantly lesser impact in terms of light and outlook. On balance this impact is acceptable.

There are no windows on the side elevation which will overlook the existing bungalow, a condition is attached to ensure this will remain the case.

Highway Parking and Access

The Highways Authority are satisfied that there is sufficient parking provision for both the application site and no. 37. There are no highway safety concerns. The dropped kerb width is to be increased to 8.4 metres in total to include the existing dropped kerb at no. 37, 5.1 metres at the proposed dwelling. The Highways Authority have advised that 4.5 metres per property would be the maximum for a licence. Therefore the applicant would need to seek consent for this. However it is noted that the increased access width does not remove any on street parking at this location due to existing parking restrictions. This however is not a planning matter and would not preclude the granting of planning permission in this case.

Drainage

The previous refusal had the following reason for refusal: -

“It has not been adequately demonstrated that surface water from the development can be properly drained from the site. The proposal is therefore contrary to policy 36 of the Local Plan and the National Planning Policy Framework.”

Technical Services have been consulted on the current scheme and as set out above a condition and informative is required, these are attached below and therefore subject to these conditions being discharged, the reason for refusal can be overcome.

Sustainability

The applicant’s agent has included a Sustainability Statement stating that measures are to be made in the design and build to reduce energy and fuel demand. These include air source heat pumps and solar panels. The implementation of such measure is conditioned below and also details of the air source heat pumps to avoid any noise and vibration impacts upon adjacent occupiers.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials to match existing bungalow no 37 Western Road North
4. No additional windows on the south elevation of the extension.
5. CMP
6. Hours of work
7. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving

the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy DM20 of the Worthing Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

8. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose. Reason: To provide car-parking space for the use.
9. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
10. Permitted Development rights removed extensions and outbuildings.
11. Refuse provision.
12. Sustainability measures.
13. Details of the ASHP

Is recommendation contrary to letter(s) of representation N

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Informative Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page: https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-cr ossovers-for-driveways-licence/ Online applications can be made at the link below, alternatively please call 01243 642105. https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-cr ossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/
3. Southern Water

4. "Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%). Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers. Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"
5. Street naming and numbering.

Case Officer: Hannah Barker Date: 12th January 2023

Authorised by: Peter Barnett Date: 12 January 2023