~~P 6/4/6/07~~
Expiry
11/7/07

Development Control – Delegated Officer Report

Application Number: ADC/0294/07 **Recommendation – Permit Application**

Site: **Land Adjacent 67 Mill Road Lancing West Sussex**

Proposal: **Detached four-bedroom dwellinghouse and detached garage**

The Application

The application site comprises a vacant plot to the south of 67 Mill Road, Lancing. The plot measures approximately 28 metres wide by 38 metres deep (0.1 Hectare) with an existing bungalow to the north west of the plot. The topography of the area slopes steeply to the south.

The application proposes to subdivide the property to create two plots, with the north half to contain the existing bungalow and the southern part to contain a four-bedroom house, with a detached garage on the south side of the house. The southern plot will have a 17 metre frontage to Mill Road and take in the existing access to the existing bungalow at 67 Mill Road.

The application follows a previous outline application for a 3 bedroom dwelling on land to the south of 67 Mill Road, ADC/0063/06, which was approved in July 2006. The application also follows ADC/0091/07 which is for an identical scheme which was refused as the Section 106 legal agreement was not completed and therefore the application was refused as there was no evidence that the necessary contributions would be made to improvements to sustainable transport to offset the effects of the travel demands generated by the proposed dwelling.

The house is proposed to be located in the south west corner of the plot. The house is designed with part hipped gable end fronting Mill Road, with featured flint work over the front elevation. The remainder of the house is to be finished in brickwork with a tiled roof and northern side roof dormer.

Consultations and Representations

LPC : No obj

Third Parties: - Two letters of objection received objecting on the following grounds: -

- This application has been refused before any cosmetic changes have been made.
- This property is out of character with the surrounding area.
- Proposed dwelling is close to the surrounding properties and over looks No. 61 Mill Road.
- Noise and pollution cause loss of quality of life.

- Busy road as existing and further traffic will be created.
- The site is too small.
- Loss of privacy to No. 71 Mill Road.

County Transport Services: - Advice is given that if it is recommended to grant planning permission this would be subject to a 106 agreement for a TAD contribution of £1560 and conditions relating to: -visibility, construction plant and materials and wheel wash, access, car parking space and cycle parking space.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (2005): LOC1, NE1-2, ERA 1-2, CH1, DEV1, DEV4-5
Adur District Local Plan 1993-2006 (1996): AG1, AH1-2, AT12, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No. 2 'Space Around New Dwellings and Flats.'
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): H1, H3, T3, T4, ENV 4-5
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1: 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPS9 'Biodiversity and Geological Conservation' (ODPM 2005)

Planning Assessment

The principle of development on this site has been established by planning permission ADC/0063/06 which approved an outline application for a three bedroom house on the site with siting and access details. This application now proposes a four bedroom house, with the siting and access details unchanged from those approved in application ADC/0063/06. The application provides further details of the internal layout and external design of the house for assessment. The relevant planning issues are therefore the proposed design of the house in relation to the character of the locality, the impact of the design on the surrounding residential amenity as well as any outstanding issues as raised in the original outline assessment for the proposed house.

Relevant Policies

The structure plan policies (LOC1 and DEV1) encourage new development on the proviso that the development enhances the character and distinctiveness of an area, requiring high standards of design, layout and construction and making the best use of urban land at higher densities whilst minimising potential land use conflicts. Local Plan Policy AH2 reiterates these policies by also encouraging infilling and redevelopment provided that the proposal is in keeping and enhances the local environment, is mindful of the existing natural features; incorporates adequate standards of residential amenity for the new dwelling whilst retaining the surrounding amenity; can achieve adequate

access and parking and accords with Councils DC Standard No. 2 'Space Around New Dwellings and Flats.'

Structure Plan policies DEV4-5 and Local Plan policy AT12 are also relevant as they require safe access to and from development sites. Structure Plan policy DEV4 requires development to provide for the travel needs that it creates and policy DEV5 requires that development should not be permitted unless the level of parking provided is compatible with the need to avoid environmental or safety problems. The requirement for transport contributions and the methodology are referred to in Structure Plan policies DEV4 and DEV5. Local Plan policy AT12 reiterates the requirement to provide safe and adequate access for vehicles, pedestrians, cyclists and to located developments where they are accessible through public transport. The Adur Development Plan – Submission Core Strategy policy T3 also requires new developments to achieve sustainable transport.

The Adur Development Plan – Submission Core Strategy policy ENV4 is relevant as it requires all new buildings to achieve efficient environmental performance and at the very least to achieve a 'Very Good' or equivalent rating under BREEM (Building Research Establishment Environmental Assessment Method).

Character and Appearance

Third party concerns have been raised stating that the proposed house is not in keeping with the character of the area.

The proposed dwelling is to be designed with a featured flint frontage and a small porch to sit more consistently with the character of the surrounding dwellings and the street scene. The design of the dwelling appears generally in proportion to the scale and design of the existing houses in the area, noting that there is a variety of house designs along Mill Road. The existing bungalow is located in the north west corner of the site and with the proposed house to be located in the south west corner at a lower topographical level, both dwellings will appear to be well spaced and individually sited within their plots. There is sufficient space to enable the proposal to achieve road frontage which is also consistent with the siting of the dwellings along Mill Road. Overall, it is considered that the proposed new dwelling will not significantly alter the existing character of the locality.

Residential Amenity

The proposal will effectively divide the existing plot of approximately 0.1 hectare in half resulting in the existing bungalow to the northwest corner with a plot area of 500 squared metres and a similar plot area for the proposed 4 bed room house. The rear garden area of the proposed dwelling would be approximately 260 square metres which greatly exceeds the minimum standard of 11 square metres as required by the Council's DC Standard No. 2 'Space Around New Dwellings and Flats.' The existing bungalow would be left with the majority of its garden area to the front (east) and south side of the

dwelling, however as it will have over 270 square metres in garden area, which again greatly exceeds Council's minimum standards, there would appear to be an acceptable amount of amenity area.

The proposed dwelling is to be located 5.5 metres to the north of the shared southern boundary with No. 61 Mill Road. The majority of the windows and doors are located to the east and west of the house (front and rear elevations), however there are two roof lights and a window to service the dining room proposed for the southern elevation. A third party letter has been received from the occupant of No. 61 Mill Road noting a concern about the proposed dining room window and the impact of the adjacent privacy. On the original plans the dining room window was illustrated as being obscurely glazed and fixed shut and it is considered that this should be required as a condition of any approval to ensure adjacent privacy is retained. The proposed roof lights should not cause any overlooking impacts.

The proposed house is located 2 metres from the shared boundary with the existing bungalow to the northwest of the plot. There is a dormer window (servicing a stairwell) and a small bathroom window proposed for the northern elevation. Both of the proposed windows are to be obscurely glazed (this should be recommended as a condition of any permission) and should not therefore cause any undue overlooking impacts. Additionally as the houses to the north, including the existing bungalow, are located at a higher topographical level the proposed house would have little impact on their access to light and general amenity.

Given the proximity of the proposed house to the existing bungalow and the slope of the land, there may be some overlooking impacts to the rear garden area and amenity space of the proposed house. It is considered that an appropriate boundary treatment should be required to ensure that the amenity and privacy of the proposed house is retained as much as possible, however providing the shared boundary is appropriately screened the overlooking impact should not be so detrimental as to warrant refusal.

As the house is located approximately 20 metres from its rear boundary the proposed windows to the rear should not cause any significant overlooking impacts.

Access and Parking

Access and parking arrangements were approved in principle under permission ADC/0063/06. County Transport Services has advised that they have no objection to the proposal subject to Section 106 agreement for a contribution of £1560 towards Sustainable Transport projects and standard conditions being imposed which relate to providing appropriate visibility splays, plant and materials wheel wash during construction, the construction of access and car and cycle parking spaces prior to occupation of the new house. The County Transport Service comments are repeated for the current application, and the relevant planning conditions are attached to this recommendation.

Other Issues

Trees

The previous outline application was assessed and it was noted that although there is a large number of trees in the area which contribute significantly to the character along Mill Road, the proposal does not involve any works to any of the trees on the site.

It was noted previously that there is a large mature Monterey Cypress on the north side of the adjacent property No. 61 Mill Road. The occupant of No. 61 Mill Road expressed a concern that works to construct a dwelling may affect the root system of the tree and cause the tree to become unsafe. It was recommended previously that although it is unlikely that the construction works will affect the trees root system as the proposed house is to be located 6 metres to the north of the tree, the location of the garage 2 metres north of the boundary may impact on the root system. A condition was imposed on the outline approval that a survey is carried out by a qualified tree surgeon and mitigation measures be put into place before work commence. It is unclear as to whether a survey has as yet been carried out on the tree and this should again be a condition of any permission.

Protected Species

English Nature advised on the outline application that an appropriate survey should be undertaken to ascertain whether there are badger setts within the vicinity of the proposed development, at an appropriate time of year. It is understood that the site was surveyed at the time and although no evidence of badger setts were noted the Field Officer recommended certain precautions be taken by the developer as badger setts from the down land are known to forage in a 0.5 km radius. A condition should be included in any permission to ensure that suitable provisions are made for any protected species and their habitats on the site.

Recommendation

APPROVE for reason that :- 2PPi

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls/fences related to building to be approved and implemented.)
3. C12Aii(External materials for walls and roof of buildings to be approved)
4. C11Aii(Hard and soft landscaping scheme) C11Ai
5. C8Fi (Private domestic garage to be retained for such use)
6. C18Ei .....shall be formed in the south ~~and~~ or north ~~elevation~~ walls of the ~~building~~ dwelling.
7. The ground-floor window in the south elevation of the dwelling C18C3 ~~hereby approved~~ shall be at all times ~~fitted~~ be glazed with obscured ~~glazing~~ glass

fixed to
and be permanently non-openable. Reason: To prevent overlooking and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.

8. The dormer window in the north ~~elevation~~ side elevation of the dwelling ~~hereby~~ C18Ci ~~approved~~ shall be at all times ~~fitted~~ be glazed with obscured ~~glazing~~ glass. Reason: (same as above)
9. C11N .....No development shall take place.....
10. The existing trees, shrubs and hedges shall be protected for the C11D duration of construction works in a manner to be agreed with the Local Planning Authority before the development commences and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any trees/shrubs/hedges or parts thereof removed without consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees/shrubs/hedges of such size and species as may be agreed with the Local Planning Authority. Reason: In the interests of visual amenity and to protect the character of the locality and to comply with policy AB25 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.
11. Prior to being discharged into any watercourse, surface water C18P sewer or soakaway system, all surface water drainage from the proposed ~~dwellings and~~ hardstandings shall be passed through trapped gullies designed and constructed to have a capacity and details compatible with the site being drained. Roof water from buildings shall not pass through any such trapped gully. Reason: To safeguard against pollution and to comply with policy AP2 of the Adur District Local Plan and ERA5 of the West Sussex Structure Plan.
12. The proposed new access shall be laid out with visibility splays of 2 C9F amended metres by 70 metres from the access onto Mill Road ~~to be provided~~ together with pedestrian visibility splays of 2 metres by 2 metres either side of the proposed site vehicular access. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level.
Reason: - In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.
13. C9N (Temporary provision for contractors' vehicles, materials, etc on the site)
14. C9S (Temporary wheel cleaning facility during construction work)
15. C8Biii (Parking spaces and access facilities related to dwelling to be constructed and retained)
16. The building hereby permitted shall not be occupied until secure and covered cycle parking facilities have been constructed in accordance with details to be submitted and approved and works to be carried out in accordance with these details. This space shall thereafter be retained at all times for its designated use.
Reason: - To provide adequate on site parking and to encourage the use of sustainable means of transport and to accord with policy

AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.

17. No development shall take place until a Planning Obligation pursuant to Section 106 of the Town and country Planning Act 1990 relating to the application site has been completed and lodged with the Local Planning Authority and the Local Planning Authority has given notification of its approval. The said Obligation shall provide a contribution of £1,560 that will be paid to the Local Planning Authority towards sustainable transport improvements in the area. Reason: To promote sustainable travel and discourage car usage as required by policies DEV4-5 of the West Sussex Structure Plan.
18. The proposed dwelling shall achieve efficient environmental performance by, prior to its occupation, being completed to achieve at least level 3 of the Code for Sustainable Homes in accordance with details submitted to and approved in writing by the LPA. R In the interests of sustainability and to comply with policy ENV of the Adur Development Plan & Core Strategy.
19. The proposed dwelling prior to its occupation shall be completed to meet the 'Lifetime Homes' standards in accordance with details to be submitted to and approved in writing by the LPA.

R as 18 for policy H3 instead of ENV4

20. C18A .. of the proposed buildings..

Case Officer..Barber.....Date..2/7/07.

Head of Planning and Community.....Date..2/7/07.....

Chair of Planning Committee.....Date..2/7/07.....