Expiry Date - 13-01-2016

Development Control – Delegated Officer Report

Application Number: **AWDM/1631/15**

Recommendation – REFUSE

Site: **29 Garden Close Shoreham-By-Sea West Sussex**

Proposal: **Erection of detached bungalow on new plot between Nos. 28 and 29 Garden Close**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal is for subdivision of the gardens of 28 and 29 Garden to form a new plot for a new dwellinghouse in the form of a detached bungalow. This would measure (at max) 4.6 metres in height, 12.5 metres in width, 7.5 metres in length.

The application site is domestic garden, with detached bungalows either side. It is bounded by a low wall with a decorative stone wall atop. A row of trees demark the shared boundary between these domestic gardens.

The surrounding area is an outer residential suburb of Shoreham, near Southlands Hospital.

Relevant Planning History
AWDM/0503/15
Single storey side and rear extension
Approved Conditionally 02/06/2015

Consultations (summarised)
Southern Water: *Please add informative*

West Sussex County Council Highways (1st consultation): *Garden Close is a 'D' classified road subject to a 30mph speed restriction. It junctions with Upper Shoreham Road approximately 115m to the south which is 'C' classified and also subject to a 30mph speed restriction in this location. Access and Visibility The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There have been no recorded injury accidents at either the junction with Upper Shoreham Road or within the vicinity of the site. Visibility on to Upper Shoreham Road is sufficient and there are parking restrictions at the junction and along Garden Close which prohibit vehicles from parking in locations where visibility would be compromised. The position of the access point is within approximately 8 metres of a bend. Although it is appreciated that the precedent is for other properties on this island to utilise*

crossovers in positions close to the curves in the road, it would be beneficial for the access to be placed 10m north for improved visibility. There appears to be sufficient space fronting or along the north side of the new dwelling where an access leading to parking could be accommodated. In designing the new point of access it would be beneficial to incorporate 2m by 2m pedestrian visibility splays. Parking and Turning The applicant has provided one off street parking space. The Application Form is incomplete therefore it is unknown how many bedrooms and habitable rooms will make up the bungalow. Consequently, the LHA are unable to comment on parking provision and capacity at this stage. Although a turn on site would be preferred, other properties have similar arrangements and there is the benefit of providing an opportunity to remove a vehicle that would otherwise be parked on the highway. Sustainability The location is considered suitable for the utilisation of sustainable modes of transport. Cycle storage has been provided and the nearest bus stop is approximately 160 metres away. There are retail and other amenities within walking distance. Conclusion The LHA request the full Application Form is made available to enable a comprehensive review of the parking provision. The applicant should re-consider the position of the access point as per the advice in the 'Access and Visibility' section of this report. Please pass on these comments to the applicant and re-consult when further information/ modifications have been provided.

West Sussex County Council Highways (2nd consultation): *A revised plan has been provided demonstrating a new location for the dropped kerb access point and revised parking layout. The access has been relocated to the north of the site in line with advice given by the LHA on 10/12/2015. The access is approximately 4.8 metre wide which is sufficient. A licence should be obtained from WSCC Highways for these works on to the Highway. The applicant should demonstrate maximum achievable visibility splays from the point of access at an 'x' distance back of 2 metre from the carriageway edge. These splays should only cross either land within the applicants control or maintainable highway. This can be secured via condition. The wall currently in place may need to be reduced in height so that these splays are not obstructed to anything over 0.6 metre in height. The WSCC Car Parking Demand Calculator envisions that two spaces be provided for a development of this size and location. Two parking spaces have been shown; both meet the required dimensions to count towards parking provision. The layout of the parking would prohibit a turn on site. However, neighbouring properties have a similar arrangement and there is the benefit of providing an opportunity to remove two vehicles that would otherwise be parked on the highway. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal. If the Local Planning Authority are minded to approve the application then the following conditions should be secured:*
Access. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing. Reason: In the interests of road safety.
Car Parking. 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
Maximum Achievable Visibility Splays. No part of the development shall be first occupied until maximum achievable visibility splays are provided from an 'x' distance of 2 metre back from the carriageway, at the site access onto Garden Close. Splays shall be taken in accordance with a plan to be submitted to and approved by the planning authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of 0.6 metre above the adjoining road level. Reason: In the interests of road safety.
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 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
The applicant is advised to contact the Community Highways Officer covering the respective area (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

Adur & Worthing Engineers: *The proposed site lies within flood zone 1 appears to be unaffected by surface water flooding, and has no history of flooding. The application form is incomplete on line so it is therefore unclear exactly what is proposed for surface water disposal, however reference to SWS plans indicate that there is no surface water sewer in the vicinity therefore I assume the use of soakaways. The applicant needs to assess if the use of soakaways is viable on this site. The proposed location for the soakaway will need to be more than 5m from existing or new structures, and there will need to be a soakage test undertaken at that location to ascertain if a soakaway will adequately empty. There appears from the drawings to be sufficient area to adequately site soakaways.Therefore in this instance the only comments we wish to make at this time relates to the disposal of the surface water. In the absence of any ground investigation details or detailed drainage details in support of the application although the applicant appears to have indicated his intention to utilize soakaways we request that should approval for this new build be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority' Soakage tests in accordance with BRE Digest 365 (1991) would be required to be undertaken on the proposed site to provide the data to ascertain the size of the soakaway required for the impermeable areas. Full design calculations should be provided for the soakaway soakage test result, and the ensuing soakaway and permeable paving designs, along with the rainfall calculations with the additional rainfall quantities appropriate for climate changes, as required under planning policy*.

Representations (summarised)
10 signature petition of objection received from occupiers of 10, 12, 13, 15, and 16 Garden Close: *Not in keeping with area as design is not consistent with existing buildings; plot is not level and no mention made to removal of trees; proposed roof is pitched whereas existing bungalows are at lower elevation; proposed access directly*

between access to Nos. 10 and 11 which could cause problems, as will proposed illuminated front; insufficient parking places at present (especially evenings and weekends) and a further property would exacerbate problem.

Individual objections from occupiers of 6, 10, 12, 13, and 15 Garden Close and Mr Simon Richardson and Mrs Nicola Boyd (addresses not given): *Parking is my major concern. Parking an issue since Orchard Gate development. More vehicles are parking in our close. Style of property is no in keeping. Much steeper pitch to roof. Could open up other developments in our close. Directly affect us as new driveway would be positioned directly opposite our house (no. 10). Concerned where it is in relation to blind bend in road. Overlooking our house and illuminated frontage could be of substantial annoyance. Close is not wide enough to take all construction traffic. Could cause serious disruption to all current residents for a prolonged period time. Struggling to cope with amount of vehicles. Considerable congestion. Trees are well established. Home to a large amount of wild life and feature of the Close. Motorists park illegally and dangerously – forbidden to park in new developments in grounds of Southlands Hospital. Fond of my front garden. Small little community. Existing houses have land divided almost equally between them and copper low pitched roofs now mostly replaced with roof felt. Looks very cramped and squashed on a corner destroying overall look of open planned area. Existing bungalows rendered white. Land between two existing bungalows is on two levels – no. 28 being much lower than 29. Not mentioned – is the new build going to be on two levels? If on level of 29 will be much taller and above height of existing buildings. States existing planting will remain – how? I moved here in the summer of 1972. If they dug up it seems likely that the earth will slop downwards. Already happening outside No. 28. Treacherous. Driveway a bit dangerous. As a family of cyclists I am fully aware of dangers. When land was compulsory purchased the regulations stated all developments should be single storey.*

Relevant Planning Policies and Guidance
National Planning Policy Framework
Saved Adur Local Plan policies: AG1, AP4, AH2, AH3, AH5, AH6
Supplementary Planning Guidance Development Control Standard No. 2 *Space Around New Dwellings and Flats*
'Good Practice Guidance Note: Internal Space Standards for New Homes'
West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator'

Planning Assessment

Principle

Saved and emerging Local Plan policies identify the need to deliver a wide choice of homes in Adur, with future housing provision concentrated on mid-market two/three bedroom family homes. Government continues to instruct local authorities to make efficient use of land.

The proposal would, by its efficient intensification of land, achieve a very modest increase of housing provision against an existing shortfall.

Density, townscape character, and visual amenity

The National Planning Policy Framework at paragraph 53 allows Local Planning Authorities to set policies to resist the inappropriate development of residential gardens (defined as Greenfield land), for example, where development would cause harm to the local area.

Garden Close is laid out in a wide circular loop with four low-rise detached bungalows in its centre. The fairly generous spacing between these four bungalows is peculiar to the centre of the loop; in contrast, the spacing between the semis on the outside of the loop is much tighter. The outside of the street has a closer-knit, more urban appearance compared to the looped centre.

The local distinctiveness of the central loop spaciousness is reflected in the fairly consistent width of the four plots, at 35–40 metres, and fairly regular spacing between the buildings at 10-19 metres. The consistency of the shallow pitch roofs with felt covering, and low ridges of all four bungalows also contributes to defining this character.

The proposal would represent a substantial erosion of this character. At just 4 metres, the separation distance between the new bungalow and the neighbouring bungalow of No. 29, would be particularly narrow and tight. There is a similarly close relationship onto No. 28 with a separation distance of 8 metres.

A change in ground levels on site has not been identified on the submitted drawings. At the centre, the application site forms a plateau, with the neighbouring bungalows to either side built at a lower height. The land drops west-to-east as well, although the fall in this direction is less pronounced. From the drawings, it is not clear if the bungalow would be built level with the street or the land excavated. Without clarification, the risk is the new building would be elevated above low lying neighbouring buildings and be unduly prominent and visually intrusive in this context.

All this would ensure the new bungalow would appear cramped on its plot and due to the site's open frontage in the close this awkward arrangement would detract from the character and appearance of the arrangement of the four bungalows and The Close more generally.

Amongst other things, Adur Saved Local Plan policy AH2 requires new development to take account of the characteristic of an area and respond positively to important aspects of local character.

This is reaffirmed in the Council's adopted Development Control Standard No. 2 'Space around new dwellings and flats' which, at para. 2.1, states *the space around and between dwellings/flats is an important factor in the creation of a pleasant residential environment, contributing to the individual character, identity and appearance of an area*.

It outlines that, amongst other things, an infill development should contribute to the character of the existing locality and insensitive infill development that will negatively impact on an area's character or amenity will be resisted. The National Planning Policy Framework details that planning permission should be refused for development of poor

design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Erecting a bungalow in this space would result in a loss of characteristic spaciousness and introduce a cramped and unduly prominent, and visually intrusive development that would not reflect the character of the area. This would conflict with Policy AH2 part (a).

The Framework goes on to set out that new development should display a good quality of architectural composition and detailing as well as respond positively to the important aspects of local character.

In contrast to the other bungalows in the loop, the new dwellinghouse would have a far deeper roof slope with a conspicuous 'face-on' profile, given additional emphasis with its use of heavy interlocking tile. This design and choice of exterior materials would be incongruous and a poor response to aspects of local character.

It is concluded the proposal would have a harmful effect on the local distinctiveness of the area, in conflict with paragraphs 56-64 of the National Planning Policy Framework.

Residential amenity – effect on existing dwellings and future occupiers

It is the neighbours either side and at the rear who are principally impacted upon by this development (it is physically removed from the remainder, including by way of resultant overlooking).

Neighbours

No. 27 is a low rise bungalow at the rear, which is orientated so its rear facing fenestration faces north-west. The changing land level means this building is set lower than the application site. The new bungalow is designed so the outlook and light to its principal living space and rear bedroom is onto No. 27.

Although the new bungalow is to be orientated at an angle to No. 27, the proximity between the buildings, which falls short of the Council's adopted standard 22 metres, and the change in land level means it would adversely overbear and overshadow. The change in levels means there would be an additional element of intrusive overlooking. Accordingly this proposal would be harmful to the living conditions of occupiers of No. 27.

Nos. 28 and 29 are both low rise bungalows. No. 28 has a conservatory that faces onto the application site. However both respective flanks of either bungalow lack principal fenestration facing the application site, and any overbearing and overshadowing impacts are self-imposed as the owners of both Nos. 28 and 29 are joint advocates of the proposal (being applicants). Both their gardens would experience some reduction in privacy, but as views would be oblique intrusive overlooking and loss of privacy would not occur.

New occupiers and garden depth

Future occupiers would benefit from a logical internal layout with good outlook and light to the principal rooms, the size of which satisfies the Council's adopted standards in its relevant SPD.

The Council's SPD sets out a minimum garden depth of 11 metres for new dwellings, and for a small detached dwelling (up to 3 bed or 120 m2) a minimum area of 85 square metres. The plot shape for the new dwelling is contrived, and its depth is only 11 metres at each side extremity. For the majority of its depth, it falls short at 8.5 metres. The garden area for the proposed dwelling falls well short of the SPD standard, at some 64 square metres.

Both failings demonstrate the small size and contrived shape and form of the site does not have the capacity to accommodate a three bed family home whilst providing future occupiers a standard of future amenity to adequately cater for their needs.

Moreover, as a result of plot subdivision the gardens of both neighbouring bungalows to either side would also fall short of the SPD standard – 74 square metres for No. 29, and 59 square metres for No. 28. The reduction of both respective gardens would undermine the attractiveness of both properties by family occupation.

Amongst other things, Adur Saved Local Plan policy AH2 requires new development incorporates adequate standards of residential amenity for the new dwelling in terms of open amenity space, and not have an un-neighbourly effect on existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook.

These objectives are expressed in precise standards expressed in the Council's adopted Development Control Standard No. 2 'Space around new dwellings and flats', and 'Good Practice Guidance Note: Internal Space Standards for New Homes'.

This infill scheme would not provide satisfactory living conditions for future occupiers to the detriment of their amenities, and adversely overbear and overshadow onto the occupiers of the existing dwellings. This would conflict with Policy AH2 parts (c) and (d).

It is concluded that the proposal would have a harmful effect on the living conditions of both future and existing occupiers, in conflict with the Core Planning Principles of the National Planning Policy Framework.

Parking and Accessibility

> Following receipt of revised plans, the original objection from the highway authority has now been rescinded. This shows an altered position for the vehicular access that achieves greater visibility at the point of access.
>
> The Council's adopted standards are 2 car parking spaces for a 3 bed dwelling. This is to be provided in front and to the side of the dwelling. It means one vehicle would have to exit the site in reverse. However Garden Close is a quiet residential road with only light traffic, and a similar arrangement exists for other properties in the street.

The Highway Authority now longer objects to the scheme on highway safety or parking provision subject to achieving maximum achievable visibility splays, and the Local Planning Authority reaffirms this. There is ample space in the rear garden for secure cycle storage without reliance upon a condition.

Recommendation

REFUSE

For the following reasons:-

1. The proposal, by reason of the contrived severance of the residential gardens and cramped and intrusively assertive siting of the dwellinghouse, would result in an erosion of openness and space harmful to the distinctive character and appearance of the street, in conflict with Saved Adur Local Plan policy AH2 and allied Development Control Standard No. 2 as well as paragraphs 56-64 of the National Planning Policy Framework.

2. The proposal, by reason of the incongruous design of the dwellinghouse with a poor quality of composition, would appear incongruous and discordant with the distinctive appearance of the cluster of buildings in the looped centre of the street, in conflict with Saved Adur Local Plan policy AH2 and allied Development Control Standard No. 2 and paragraphs 56-64 of the National Planning Policy Framework.

3. The proposal, by reason of the outdoor amenity space for future occupiers and existing neighbours failing to satisfy the Council's adopted standards, would not provide for a standard of garden space adequate to serve their needs, with consequential harm to the living conditions of both future occupiers and existing neighbours in conflict with Saved Adur Local Plan policy AH2 and allied Development Control Standard No. 2 and paragraphs 56-64 of the National Planning Policy Framework.

4. The proposal, by reason of the proximity and scale of the dwellinghouse to neighbouring properties and differing site levels across the application site, would have a harmful effect on the living conditions of both future and existing occupiers by way of adverse overbearing impact, in conflict with Saved Adur Local Plan policy AH2 and allied Development Control Standard No. 2 and paragraphs 56-64 of the National Planning Policy Framework

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to any representations? N

Case Officer signed: Matthew Porter Date: 4-02-2016

Authorised and signed by: Peter Barnett Date: 5 February 2016

Drawing titled Proposed Detached bungalow Rev A date received 06-01-2016