Application Number: ADC/0602/07 **Recommendation – REFUSE**

Site: **50 Brook Way, Lancing BN15 8DH**

Proposal: **Two-bedroom house attached to side, with one parking space**

The Application

Prior to this latest application, two previous applications have been submitted for a proposed two-bedroom house to be erected attached to the roadside end of the existing terrace of houses (which are at a right angle to the road). The first application (ADC/0399/06), submitted in November 2006, was withdrawn. The second application (ADC/0022/07) was also withdrawn, following its recommendation for refusal.

The current application does not differ significantly from the last application other than to include details of the proposed areas of the front (25sqm), side (43sqm) and rear (24sqm) gardens. The side garden is shown to be enclosed only by low level shrubbery.

Also submitted with the current application is a Design and Access Statement which includes details of other examples of added end-of-terrace houses which have been permitted in Lancing and Worthing. The applicants state that the proposed house would mirror the existing ones and that it would fall within the 'building line'. Although the rear garden is below the Council's standard, it is no worse than other houses in the terrace which have had rear extensions built as 'permitted development', some now being even smaller. Moreover, it also has the benefit of a side garden. They ask for the Council to be flexible and suggest that the PD rights be removed for the proposed house if it is approved. It is also pointed out that potential purchasers can decide for themselves whether the rear garden is sufficient for their particular needs.

A single parking space is proposed for the new dwelling along with cycle parking space.

The existing dwelling would no longer have any off-street parking space (as its garage is proposed to be demolished to create the rear garden for the proposed house). The applicants state that cycle parking would be provided for it and also state that, as all the immediate houses have a garage in the rear compound and there are plenty of car parking bays in the streets, they do not feel the proposal would have a significant effect on parking.

Consultations and Representations

County Transport Planning Services: No objection, commenting that the proposal is in a sustainable location and unlikely to worsen the existing on-

street parking situation significantly. Evidence suggests that developments of this type are unlikely to result in increased access or safety concerns.

Lancing Parish Council: Object on grounds that it is overdevelopment and out of character.

Third Parties: 12 letters of objection have been received from local residents making the following comments: -

- Proposal would set a precedent for further similar development.
- There would be on-street parking congestion because of only one parking space being provided, leaving the existing house with none.
- Parking problems already exist at weekends and evenings.
- Loss of privacy, loss of light.
- Overdevelopment.
- Additional noise and disturbance in the area.
- The deeds state there should be no walls, fences or new build on this estate.
- Increase in number of rented properties in the area.
- The development would spoil the contour of the buildings and the pleasant appearance of the estate.
- Out of keeping, extending over the 'building line'.
- Disturbance and damage during construction and disruption to quality of life.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, ERA1, CH1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH2 and Appendix 11 'Supplementary Planning Guidance' comprising: - Development Control Standard No. 2 'Space Around New Dwellings and Flats'
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

Policies

The site is within a residential part of the built-up area. Both Local and Structure Plan policies (AG1, H2, LOC1, ERA1 and CH1) generally encourage new residential development by way of infilling and redevelopment within the built-up area, in order to avoid a need for 'greenfield' development.

However, the policies also contain provisos requiring development not to detract from the existing local urban environment (AG1) and to have an acceptable impact on the character of the area (LOC1). DEV1 requires high quality development and that it should have regard to local context including varied traditions and character; the characteristics of the particular site, the

landscape, townscape and streetscape, building styles; and to create a sense of place.

AH2, dealing with infill or redevelopment of sites, requires that each proposal should be designed so its appearance, character and scale create a pleasant place to live, inkeeping with the local environment, with particular attention being paid to architectural form, height, materials, density and layout of both buildings and associated structures and hard surfaces; so it does not have an unneighbourly effect due to loss of privacy, daylight/sunlight, outlook or open space; so that it incorporates the adequate standards of residential amenity for new dwellings in terms of garden space, daylight, outlook and privacy; so that there is adequate access and parking provision; and accordance with the Council's DC Standard No. 2 'Space Around New Dwellings and Flats.'

Government policy in PPS3, in order to achieve a wide choice of high quality homes, improve affordability and create sustainable, inclusive, mixed communities, encourages better use of previously developed land for housing development at higher densities and without rigid application of parking and amenity space standards. However, it is also states that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted".
It encourages LPAs to promote "designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes". It states:- "Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation. The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Character, Appearance and Layout

The estate has been designed to the 'open plan' concept and the streetscene has a relatively spacious character. The proposed house itself would not narrow down the streetscape to any greater extent than the existing terrace of houses to the south at No's 44 - 48 which face the road. The design would match the existing houses, although there is a degree of concern that it would be difficult to match the materials exactly. It is not considered that the proposed house itself is objectionable on grounds of being out of character or that it might set a precedent.

Residential amenity – amenity space

The Council's adopted minimum standard in DC Standard No.2 is 65sqm of private rear garden space for a three-bed terraced house (and 50sqm for a two-bedroom house), with a depth of 11m.

The existing houses have small rear gardens only 8 metres in depth and 40sqm in area. Some have been reduced by extensions built as 'permitted development'. The existing house at No. 50 has a slightly wider rear garden with an area of about 50sqm. The proposed house would have an even smaller rear garden with a depth of only 5 metres and an area of only 24sqm. The block plan submitted with the application also shows a front garden area of 25sqm and a side garden of 43sqm. However, neither the front nor side gardens are enclosed (other than by proposed low-level shrubs) and, consequently, would be totally lacking in privacy. Because of this, their areas would not count towards the private garden space referred to in the DC Standard No.2.

Owing to the character of the streetscene, in particular its 'open plan' design concept, it is considered that it would be unacceptable to enclose the front and/or side garden areas to provide privacy. An enclosing screen wall or fence would dominate the streetscene and would be detrimental to the character and appearance of the existing 'open plan' nature of the estate.

Residential amenity – effect on existing dwellings

It is not considered that there would be a significant adverse impact on the bungalows to the west, on the opposite side of the road. The distance between the side of the proposed house and front of these bungalows would be 19 metres. There is no standard applying to this situation but it compares with the Council's minimum standard for corner plots of 14m between the blank side of one dwelling and the rear windows of the dwelling facing it. In this case, the proposed side elevation would only contain a stairway window. The distance of 19m is the same as is already the case between the principal facing windows of the existing dwellings to the south. It is considered sufficient to avoid unacceptable loss of sunlight, daylight or privacy.

Access and parking

The proposal results in the removal of the existing garage for the existing house at No. 50 and leaves it without any off-street car parking provision, only space for cycle storage. A single proposed car parking space is shown to be provided for the new house. With dimensions of 4.8m x 2.4m, it has been increased in size from the substandard dimensions shown on the previous application plans. This has resulted in a further reduction to the already deficient rear garden area.

The adopted maximum parking standard is 2 car spaces per dwelling, giving a maximum requirement for 4 car spaces whereas the proposal only has one space.

Structure Plan policy DEV4 requires that the transport needs of developments be assessed and that a choice of transport is available to minimise motorised journeys. DEV5 requires the level of parking to be compatible with the need to avoid environmental or safety problems and the need to encourage walking cycling and public transport where this is a realistic alternative.

The WSCC, as Local Highway Authority, consider it to be a 'sustainable' location where non-car travel is a realistic alternative. They consider the limited parking provision proposed to be acceptable and that the proposal should be unlikely to worsen significantly the existing on-street parking situation. However, the location is not particularly convenient for walking to the centre of Lancing (about 0.6 km away at its closest) and not close to a bus route with a frequent service. Taking account of policy DEV5, notwithstanding the advice of WSCC, it is considered that it is unacceptable in this location to relax the standard to below a minimum of one car parking space per house because of the additional on-street parking that would result.

Recommendation

REFUSE on ground that :-

1. The proposal represents overdevelopment of the site by reason of the proposed house lacking adequate private amenity space for the use of the occupants and the existing house losing its off-street parking provision, thus resulting in additional on-street parking. The provision of sufficient private amenity space could only be achieved by enclosing the side garden with a screen wall or fence but this would be detrimental to the 'open plan' character and appearance of the locality. The proposal is, therefore, contrary to policies AH2 of the Adur District Local Plan and DEV1 and DEV5 of the West Sussex Structure Plan.

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