Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/1404/12

Site: **Land At 60 To 66 Busticle Lane, Sompting, West Sussex**

Proposal: **Erection of 6 houses (5 x two bedroom and 1 x one bedroom) with 9 parking spaces and new access from Busticle Lane.**

Date of site visit: 11 May 2012

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application is for 6 dwellinghouses with 9 parking spaces instead of the 8 flats with 7 parking spaces previously approved in 2008 (ADC/0092/08). An application for renewal of that permission is still pending, awaiting completion of a section 106 Obligation relating to a sustainable transport/ infrastructure contribution (ADC/0089/11). A previous outline application for 6 dwellings with 10 parking spaces was withdrawn earlier in the year (AWDM/1042/11).

An alternative application for 11 flats in a three-storey block (plus rooms in the roof) was refused and dismissed on appeal in 2010 (ADC/0055/10). This was on the following ground (plus lack of a section 106 Obligation):-

1. *The proposed block of flats, by reason of its excessive height and scale in relation to neighbouring bungalows and to the size of the site, would be out of keeping with existing dwellings which characterise the immediate locality and result in overdevelopment and an overbearing impact that would be detrimental to the visual and residential amenities of the area, contrary to policies AG1 and AH2 of the Adur District Local Plan and CC6 and BE1 of the South East Plan.*

The site is located on the eastern side of the road, 100m south of the junction with the A27(T). It comprises the cleared site of a former shop and post office with dwelling and is currently surrounded by builder's hoardings. The site slopes up by about 3m to the rear (east). It is 19m wide by 42m deep (0.08 hectare). There are bungalows to the south and rear (Berriedale Drive), a two-storey block of 4 flats to the north (Aspen Lodge), and two-storey semi-detached houses opposite. There are some large conifers and other smaller trees along the south side boundary and rear boundary of the site (on both sides of the boundaries).

The application is proposing an L-shaped development with a terrace of 3 two-storey houses at the front facing the road and served by a new access off Busticle Lane with 8 car parking spaces in front of the dwellings. A second terrace of 3 two storey dwellings are proposed at the rear of the site, facing northwards and accessed from the existing accessway to Aspen Lodge (over

which the site has a right of access). They are shown with rear gardens backing onto the side of the rear garden of the bungalow at No.58 Busticle Lane to the south. The easternmost house has a parking space in front of it with the others all served by the parking court at the front of the site. The parking area is to be bordered by a low wall 1.3m high.

The proposed front terrace of 3 houses is shown 15.3m in width by 9m in depth, with a uniform 7.4m high ridge height (8.4m when measured from the road). At the rear the terrace steps up from the westernmost unit to its neighbour to the east but then steps down again for the easternmost dwelling which has a much lower eaves line. Heights range from 6.6m to 7.3m (as compared with an overall height of 8.5m for the previously approved block of 8 flats and 11m for the rejected 11 flats). These houses are shown as all having 2 bedrooms with the exception of the easternmost unit which has 1 bedroom.

The Design & Access Statement states that the dwellings will incorporate a selection of materials, including brick, render, timber cladding and slate tiles.

Relevant site history

As set out above.

Consultations

West Sussex County Council: The Transport Planning Officer has no highway objection. The principle of a shared access with Aspen Lodge has previously been approved. The current scheme appears to promote a 5m width shared surface area for pedestrians and vehicles. This 5m width would be considered acceptable for a private driveway. Vehicle tracking was used in connection with AWDM/1042/11, where it was demonstrated that there is sufficient width at this point of access for vehicles to be able to pass and re-pass, without causing an obstruction to traffic on Busticle Lane.

The second (new) point of access is located approximately 10m south of the first access (centre to centre), and serves 8 parking spaces. Whilst the footway and verge width at this location is wide, and the alignment of Busticle Lane straight, visibility is not anticipated to be an issue (although we would recommend an appropriately worded condition to secure 2.4m x 43m visibility splays). These splays have been indicated on the proposed block plan.

The proposal incorporates 9 parking bays, 8 of which are contained within a private parking area while one is located in a parallel arrangement adjacent to plot 6. It would be deemed that this provision would meet the anticipated demands for a development of this size in this location when compared to the WSCC Car Parking Standards Calculator. The applicant may wish to allocate one space to each dwelling with the remaining 3 spaces in the private parking left unallocated for visitors parking etc. The option of leaving all 8 spaces in the private parking area unallocated for all 6 dwellings would be a more

flexible arrangement and also considered appropriate. All the spaces are appropriately sized and the arrangement would not give rise to any highway safety concern. A secure and covered cycle parking provision large enough to store one cycle per dwelling would be considered appropriate. This has been included within the proposal.

The proposals incorporate 6 houses, where the previously approved scheme was consented for 8 flats. The proposals are not expected to generate a significant variation in traffic relative to the approved scheme; however no detail has been submitted to identify what this quantum of daily traffic would be.

The proposed plan indicates an area to be used for bin storage which is approximately 25 metres from Busticle Lane. This is considered the maximum appropriate collection distance for a refuse store to be away from the public highway as per guidance in Manual for Streets. It is noted that 4 dwellings have private refuse storage areas, one of which is approximately 40 metres away from the public highway. This would be considered an unacceptable collection distance; in this case the bins will need to be moved to an agreed location no more than 25 metres away from the public highway to reduce the length of time a refuse collection vehicle would need to wait on Busticle Lane. These arrangements may need to be clarified with the applicant.

From the information supplied and the planning history of the site it would not be anticipated that this proposal would be of detriment to highway safety. If the LPA are minded to grant planning consent we would ask that conditions securing the following are included:

- Access (Crossover Recommended)
- Car Parking and Turning (No occupation prior to provision)
- Cycle Parking (6 Cycles)
- Pedestrian Visibility Splays (2 x 2 metres)
- Visibility Splays (2.4 x 43 metres)

Adur & Worthing Councils: The Council's Waste Strategy Manager has no objections. The Environmental Health Officer has recommended use of the precautionary contaminated land informative.

Sompting Parish Council: Not received

Representations

1 letter of objection received from the occupier of 47 Berriedale Drive:
Nearest buildings are extremely close to boundary, resulting in harm to aspect and privacy. Density of development is out of character with the area.

Relevant Planning Policies

The South East Plan 2006-2026 (GOSE 2009): SCT1, SCT5, SP3, CC6-7, H1-2. H5, BE1-2
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AG3, AH2, AH5 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space Around New Dwellings and Flats', and
'Good Practice Guidance Note: Internal Space Standards' (ADC 2010)
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003, amended 2010)
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The principle of the redevelopment of this former shop site for solely residential purposes is established by the previous permission for 8 flats. The site is not identified for any particular use or development in the Local Plan and its redevelopment for residential purposes accords with policy AH2. Residential infilling and redevelopment of unidentified sites, as in this case, is needed in order to meet the Council's 5 year housing land supply. Priority is given to use of previously-developed land.

Visual amenity - Density and character

The permission for the erection of block of 8 self-contained flats (4 two-bedroom, 3 one-bedroom and 1 three-bedroom) equates to a density of 99 dwellings per hectare (dph). The present proposal for 6 dwellinghouses reduces this to 74dph. This exceeds the minimum in the South East Plan (40dph) and is very high for a development of houses. The current proposals would have a markedly greater density than the bungalows to the south (27dph) and rear, but is the same as the Aspen Lodge flats to the north (73dph).

There are some higher density developments located to the south, notably around the junctions of Busticle Lane/ Western Road North with Cokeham Road and West Street. No's 1-37 Busticle Lane are a series of two-storey flats on the west side of the road at a density of 115dph, and Western and South Lodge, two blocks of three-storey flats on the east side, are 110dph. Some of the more modern housing on the west side is at 50dph.

Scale and appearance

The houses have ridged roofs which, in the case of the front terrace, are approximately 2m below the ridge line of the approved flats (being sited on lower ground). They are also approximately 1m below the ridge height of Aspen Lodge to the north. The ridge height of the houses at the rear generally aligns with the Aspen Lodge building. Ridge heights do not exceed 7.3m.

By comparison, the block of 8 flats previously approved had a roof ridgeline 8.5m high, and the refused scheme for 11 flats had a ridge line 11m high.

The houses now proposed are shown extending as far as the rear (east) boundary of the site whereas the flats had their rear wall 14m away from the rear boundary. However, they have been designed to be far less substantial in mass, form and scale than the flats or the previously proposed dwellings in the withdrawn application.

In terms of the streetscene, the proposed houses would be more in scale than the 8 flats previously approved but the houses at the rear would be noticeably taller than the bungalows that characterise the streetscape to the south and also the rear (Berriedale Drive. The rear (south) elevation of those houses would be higher than the adjacent bungalow (No.58) to the south, making them visible above the bungalow when approaching from the south along Busticle Lane. However, while extending further in to the site to the east, they will be no higher than the previously approved flats and it is not considered that the visual impact would be detrimental to the locality.

Residential amenity – for the proposed houses

Under the Council's Good Practice Guidance Note for Internal Space Standards, the proposed houses generally fall only slightly below the minimum standards for total internal floor area with the exception of the 1 bed house which exceeds the minimum standard, having a floor area of 57sqm (minimum is 51sqm).

The 2-bed houses fronting the road have a total internal floor area of 76sqm, which is just 1sqm below the minimum required while the 2 x 2-bed houses at the rear have floor areas of 66sqm which is 11sqm below the standard of 77sqm. While these latter dwellings are of most concern, in terms of floorspace, the overall design and form of the dwellings is considered to be a significant improvement over the approved flats and it is considered that the overall standard of accommodation is acceptable.

Externally, the proposed front terrace houses are each shown with rear gardens 7.3m deep and areas which vary between 36sqm and 56sqm as compared to the minimum standard in the Council's DC Standard No.2 of 50sqm and 11m deep. The gardens are shown as being on two levels with a low level patio immediately adjacent to the rear wall with steps up to a higher lawn. While the front terrace would have short gardens with limited outlook particularly for the northernmost units, they would enjoy sunlight from the south for much of the day.

The rear terrace has longer gardens of between 8.8m and 11.2m with areas of between 38sqm and 64sqm. The previously-permitted 8 flats were also deficient compared to the minimum standard of 20sqm per flat, with actual provision of 120sqm compared to the required 160sqm, most of the rear area being occupied by car parking. Overall, in the light of the previously approved scheme, the deficiency is not considered to unduly detrimental and living conditions for future occupiers would be acceptable.

Residential amenity – surrounding dwellings

The proposed 3 houses at the rear extend in a line to the rear boundary of the site, having a north/south-facing aspect. They would therefore have a different relationship to Aspen Lodge, the adjacent block of flats, and to the bungalows to the south and rear as compared to the block of 8 flats previously permitted.

With regard to the relationship to the bungalows to the rear in Berriedale Drive (east and southeast) and Downland Close (northeast), which have very long rear gardens, the intervening distances are so great that it is not considered to present a problem. No.47 Berriedale Drive has a rear garden 35m-55m long with an area of over 900sqm as compared to the Council's minimum standard of 11m length and 85sqm/100sqm area. To the north-east, the nearest bungalow in Downlands Close (No.4) also has a very large rear garden (about 30m long and 600sqm). At present, there are also dense lines of tall conifers along the rear boundary of No.47 that would screen the side wall of any houses erected on the site. With their windows facing north and south, as shown on the plans, the angle of view to the rear windows of the above bungalows would be oblique and the distances would be 41m to No.47 and 45m to No.4 which are almost double the Council's minimum standard of 22m. The rooflights on the end unit will be high level, serving the ground floor only. The sloping roof of the unit nearest to the boundary reduces the bulk and impact of that building on the neighbours in Berriedale Drive.

The greater concern is the effect on the bungalow at No.58 to the south. The layout of the development with the line of rear houses arranged east-west, means that their rear windows would face onto the side boundary of the rear garden of No.58. The plans show the proposed rear gardens a minimum of 8.8m deep, as compared to the standard of 11m. The Council has no particular standards for privacy of rear gardens, only between facing principal rear windows of habitable rooms. In this instance, the distances between the rear windows range from 24m down to only 15m but the angle of view ranges from oblique to acute (rather than direct) as the distance decreases. The number and size of rear windows is restricted to a single full length window per dwelling plus one high level window per unit and the impact on privacy is not considered to so harmful as to warrant refusal.

The rising ground level at the rear of the site would emphasise the proximity of the houses but this would be offset to some extent by the screening provided by existing trees along both sides of the boundary. The rear garden of No.58 contains a number of trees. Those within the application site are mostly proposed to be removed and replaced with new trees closer to the boundary line.

To the north, the proposed line of 3 houses would have their front windows facing onto the accessway at the side of the rear car park of Aspen Court. The distances between windows range from only 8m to 20m but the angles of view are oblique to acute, so there would not be direct overlooking. The direct line of view would be only onto the rear car park.

The flank walls of the proposed houses on the site frontage would be 3m from the side of No.58 to the south and 5m from the side of Aspen Lodge to the north, exceeding the Council's minimum of 1m and not having any unneighbourly effect.

Access and parking

The illustrative layout shows 2 accesses to serve the proposed development. In front of the proposed 2 houses facing the road, a new access would be formed to serve a front parking area for 8 cars with turning space for all but one of the dwellings (the easternmost dwelling having its own space in front of that dwelling). The rear houses are shown served by the existing vehicular accessway (serving the rear parking area of Aspen Court) at 5m wide.

Bicycle storage is shown in a communal store on the south side of House 1 (the southernmost dwelling on the frontage). This is not ideal, being some distance from the furthest dwelling but, given the site constraints, it is considered to be acceptable. Access to the store will be from a separate gated path to the south of the parking area or from the shared access drive to the north.

West Sussex County Council has no objection to the parking or access arrangements.

A shared refuse bin storage area is shown between the front and rear terrace facing the shared driveway. In addition, the easternmost dwelling has its own storage space with the front terrace also having a single bin space each. WSCC has advised that the furthest bins from the road will need to be brought to a central collection area within 25m of the road and the applicants have confirmed that bins will be brought to the pavement on collection day, which is an acceptable arrangement.

As regards the Transport Contributions Methodology, under the adopted formula the calculated contribution to sustainable transport improvements for the proposed 6 houses (5 two-bedroom and 1 one-bedroom) with 9 parking spaces is around £9,540. However, the methodology states that allowance will be made for the traffic generated by past use of the site. In this case a shop/PO and dwellinghouse which can be expected to have generated a substantial amount. The applicant has provided no information on past traffic generation but has supplied a profit/loss account showing that the development is not expected to make any profit based on site acquisition/building costs relative to current likely sale values. The two factors together indicate that no contribution should be required in this instance.

Conclusions

On the negative side, the proposal is at a very high density and would have some impact on the bungalow to the south through overlooking and overbearing effect on its rear garden. External garden lengths and areas and a few internal dimensions fall below the Council's minimum standards although this was also partly the case for the flats. The applicants were requested pre-application to reduce the number of houses to 5 but stated that they could not do so as it would render the scheme unviable.

On the positive side, the provision of houses as opposed to flats (as previously permitted) better addresses current housing needs and priorities. No objections have been received, compared to numerous objections to the

block of 11 flats. The access and parking provision meets current standards. The marginal viability of the development means that the site is likely to remain undeveloped if the proposal is not permitted and it will continue to detract from the street scene.

On balance, the scheme is considered to make better use of the site than the approved scheme for flats and is acceptable in visual and residential amenity for the reasons explained above.

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and, while of a high density and slightly below expected space and amenity standards, it would help meet the need for additional housing without detracting from the existing local urban environment and is an improvement on the extant permission for flats on the site. There will be some impact on neighbouring dwellings but overall it can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AH5, AB23, AB25-27) and the South East Plan (SCT1, SCT5, SP3, CC6, H1-2, H5, BE1-2)

Subject to:-

1. 3 year time limit
2. Details of walls/fences to be approved and implemented
3. Parking spaces, turning and access to be provided and retained
4. Cycle parking to be provided and retained
5. Hard and soft landscaping scheme
6. External materials for walls & roofs of buildings to be approved
7. Provision of waste storage and collection
8. Details of foul and surface water drainage to be approved and implemented
9. Removal of PD rights for extensions, alterations and outbuildings
10. Approved plans

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern pre-application 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.

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

Case Officer: Peter Barnett Date: 10 January 2013

Authorised by: Gary Peck Date: 10 January 2013