CATEGORY B

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WB/09/0106/OUT
HEE
RJS

Location : 17 Heene Road

Proposal: Outline Application for the demolition of existing garage building to rear of properties and construction of four two storey dwellings with access onto Heene Road. Rear gardens of 15 and 17 Heene Road.



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1. THE PROPOSAL AND THE SITE

This is a proposal for outline planning permission for the construction of four two-storey dwellings (one 1-bedroom dwelling and three 2-bedroom dwellings) with access onto Heene Road, following the demolition of an existing garage building to the rear of Nos. 15-17 Heene Road. Approval is being sought for layout, scale, appearance and access. Landscaping is a reserved matter.

The site relates to the rear amenity area of Nos. 15 and 17 Heene Road which comprises of a 3 storey Victorian building (plus lower ground floor level), currently in use as flats. No. 15 has a 23 metre deep rear garden area which comprises of lawn and planting areas and several trees to the rear (western) and southern boundaries. This garden area is separated from the rear of No. 17 by a brick wall with access through a side timber gate. No. 17 also has a 23 metre deep amenity space to the rear of the building although this area contains a block of four garages and the remaining area, although not hard-surfaced, is used as an informal parking area.

Nos. 15 and 17 Heene Road are Local Interest Buildings and the site is within the Ivy Place Conservation Area.

The locality is predominantly residential with flats to the north and south fronting onto Heene Road and other single dwelling houses to the immediate north and west of the site fronting Rowlands Road and Ivy Place.

The northern boundary of the site is shared with Nos.129 and 129a Rowlands Road. No. 129a appears to be in use as a single dwelling and has a blank wall backing onto the application site. No. 129 is in use as 7 flats. To the west, the rear wall of the buildings known as Chios Cottages is located approximately 25 metres from the rear wall of flats at No. 15 at their nearest point and the cottages have shallow gardens approximately 7 metres in depth. A brick wall (2-2.5 metres in height) forms the boundary at this point. To the south, at No. 13 which is also in use as flats, a high wall (2.5 metre approximately) marks the boundary with the application site.

The proposed four dwellings would be constructed as two pairs of semi-detached dwellings, one sited adjacent to the northern boundary of the site and the other set adjacent to the southern boundary, each accommodating two single dwelling houses, 1.5 storeys high. The design appears to emulate a converted coach house. The northern building (Units 1 and 2) would be positioned approximately 1.5 metres from the rear (western) boundary and approximately 200mm from the northern boundary. The building would have a footprint of 11.5 metres by 5.9 metres, measuring 4.1 metres to its eaves and 6.3 metres to the ridgeline. The building has been designed with a hipped roof and lean-to structure to the west elevation, and gable to the east.

The southern building (Units 3 and 4) would be positioned 2.5 metres from the rear of No. 15 Heene Road, 1.5 metres from the southern boundary (stepping in by 1.5 metres for Unit 4) and 3.3 metres from the western boundary. These two dwellings would be sited opposite units 1 and 2 with a distance of 9.2 metres between the two frontages at their narrowest point. The building would have a footprint of approximately 71 square metres, a hipped roof and would comprise two 2-bedroom dwellings.

The main outlook for both buildings would be onto the central courtyard area between the two buildings although there are additional ground floor windows to the west elevation of each building and a secondary living room window and second bedroom window would be located in the east elevation of Unit 2. A kitchen window is also proposed on the south elevation to Unit 3.

The application states brickwork or flint and brick would be used with a combination of natural slate and clay ridge and hip tiles to the roof. Windows are proposed in timber.

The existing access to the north of No. 17 Heene Road is to be retained as a pedestrian access with no car parking associated with the development. Landscaping is a reserved matter although the submitted plans illustrate hard landscaping surrounding the dwellings and in the central courtyard with some limited areas of planting.

2. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant's statement is summarised below:

"Assessment of Physical Context
The site the subject of this application lies on the western side of Heene Road, to the south of Rowlands Road. It comprises an area of approximately 0.09 hectares and is located to the rear of numbers 15 and 17 Heene Road. The two existing properties comprise large two storey Victorian villas with basement accommodation and rooms within the roof. Number 15 has also been extended in the past with single and two storey extension on its southern side. Number 15 is subdivided into seven self contained flats whilst number 17 comprises four self contained flats.

Access to the site is gained via an existing access on the north side of number 17. To the north of the access lies a large four storey Victorian villa which fronts on to Rowlands Road. The land to the rear of the two properties currently forms an under utilised parking and amenity are for the existing flats. In the north west corner is a single storey garage building. The northern boundary of the parking area is marked by the rear blank wall of number 129a Rowlands Road and its associated fencing. Number 131 Rowlands Road is located off the north west corner of the site.

To the west of the application site lies Ivy Place, an unmade road which serves a number of small news cottages. Numbers 1 and 2 Chios Cottages have their rear amenity areas adjacent to the western boundary of the application site. To the south lies a further pair of large semi-detached villas which are three storeys in height with accommodation within the roof space. A two storey addition on the rear of number 13 lies adjacent to the southern boundary of the application site and extends westwards beyond the line of the development at number 15.

Evaluation
The siting and design of this application proposal has been derived from the need to take account of the character and appearance of the conservation area in which it is sited and the amenities of the existing flats on the site and adjoining residential properties. According to the Ivy Place Conservation Area Appraisal, there are three main types of domestic architecture in this conservation area. Of particular relevance to this application site are the detached and semi detached stucco villas from the early Victorian period on

Heene Road and later Victoria cottages around Ivy place and Elsie Road. The appraisal describes the construction of the most prominent and grand buildings on Heene Road, with later Victorian cottages t the rear in Ivy Place. The application development seeks to respect this existing character by providing the new dwellings in the form of mews cottages given their location behind the main Heene Road frontage villas.

Amount of Development
The application proposes the erection of 1 no. 1 bed cottage and 3 no. 2 bed cottages. The development takes the form of 2 pairs of semi detached properties; one adjacent to the northern boundary and one close to the southern boundary.

Layout
The proposal seeks to make efficient use of this land within a sustainable location. The layout has been derived from the need to respect the amenities of the existing flats on the site and those of the adjoining residential properties. In this respect, the northernmost pair of cottages adjoin the blank wall of number 129a Rowlands Road. Where cottage no. 1 would extend beyond the western elevation of this property, it has been designed as a single storey so that the impact will be no greater than the existing garage building. This single storey element also gives a greater degree of separation between the two storey portion of the cottages and no. 131 Rowlands Road, the eastern elevation of which contains no windows. The end elevation of this pair of cottages would sit facing the existing access and would only overlap the rear of number 17 Heene Road where the fire escape is positioned thereby protecting the amenities of the existing flats in that regard.

The southernmost building sits off the southern boundary and is staggered to limit any impact on the windows to rooms in the adjoining building to the south. Furthermore, as it is located to the north of the adjoining property, it is considered that there would be no overshadowing effect. The windows on the west elevation of number 15 would be repositioned to the north side of the building to prevent any overbearing effect on those existing flats. Where the proposed building overlaps the main portion of number 15, there are windows serving non-habitable rooms only. The dwellings have also been set away from the western boundary and the gable end would be over 10m away from the rear elevations of Nos. 1 and 2 Chios Cottages, where there is only one first floor window facing the application site and would not directly face the application building.

Scale
The dwellings have been designed to minimise their overall height to reflect the character of the properties in Ivy Place and to prevent any overbearing effect on the occupiers of adjoining properties. The dwellings would have an overall ridge height of 6.2m whilst the 1 bed unit would have a floor area of approximately 48m^2.

Landscaping
Landscaping is a reserved matter. However, the drawings submitted with this application indicate how the development could be landscaped with hard

surfaced amenity areas with soft landscaped borders. This would provide usable and attractive amenity areas which would enhance the appearance of the conservation area. The land to the rear of these existing properties at the present time, represent under utilised areas which, together with the existing garage building, do not make any contribution to the character of the area.

Appearance
The proposed development has been designed as a mews development in keeping with the existing development in Ivy Place and Elsie Road. It would be provided around an attractive courtyard and the design of the dwellings would reflect those elsewhere in the conservation area with low eaves and first floor windows partly within the roof slope. The materials would also reflect those characteristic of the conservation area.

Access
This proposal does not provide for any on site parking and therefore there will be no vehicular access to the site. The site is located within walking distance of the town centre and close to bus routes on Heene Road, Rowlands Road and Marine Parade. It is therefore considered that there are alternative means of transport available other than the private car and as such accords with the Government's sustainability objectives.

Cycle parking would be provided for the new development in an enclosed cycle store located on the western boundary.

It is confirmed that the development will be designed to accord with the Disability Discrimination Act."

3. CONSULTATIONS

The **Highway Authority** has made the following comments:

"In terms of transport, the properties are situated in a sustainable location. The property is within walking distance of a range of services and public transport, hence there is no reliance as such on the use of the private car. It should be mentioned that a Controlled Parking Zone is present on Heene Road, and many of the surrounding roads, meaning that if occupants of the new dwellings have cars they will not be able to park without a relevant permit. Due to this fact, it is extremely unlikely that a significant highway safety issue would arise due to an intensification of on-street parking, and therefore this application raises no highway concerns. This application is also in compliance with PPG13 and policy Dev4 of the West Sussex Structure Plan 2001 – 2016 in encouraging the use of sustainable transport.

Cycle parking has been included in this application. The applicant is reminded that this must be secure, covered and be capable of storing at least one cycle per bedroom of the proposed buildings. The actual details of the cycle parking facilities should be submitted to and approved by the Local Planning Authority (LPA).

Any approval of planning permission would be subject to the following conditions in relation to construction plant and materials and cycle parking."

The **Executive Head of Health Housing and Community Safety** raises no objection subject to the following condition:

"If during development, any visible contaminated or odorous material, (for example asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented."

The **Conservation Area Advisory Committee** has made the following comments:

"Strong objection. This proposal for four two storey houses on the site of the existing garage block would be a complete over-development of the site."

The **Worthing Society** has commented as follows:

"The Worthing Society takes particular interest in planning applications within Conservation Areas. As you know, this application lies within the Ivy Place Conservation Area.

We are always wary of 'back garden' developments - but from a brief look at the application it appears that the proposed mews-style development is attempting to be 'low-key'. We would be particularly concerned if the development was:-

a) too dense for its location
b) intruded upon the street scene of the Conservation Area.

We ask the Development Control Committee (DCC), in their deliberations on this case to satisfy themselves that points a) and b) above are not contravened and that they are confident that the proposals do not detract from the character of this particular Conservation Area."

4. REPRESENTATIONS

Eleven letters of objection have been received from local residents on the following grounds:

i) Parking – loss of existing parking, which will be displaced out onto Heene Road where parking is limited
ii) Traffic congestion - difficulties with loading and crossing road.

iii) Large overbearing development – over development of small site
iv) Out of keeping with area – impact on conservation area and street scene
v) Loss of garden areas – loss of amenity for flats, loss of trees, loss of habitats for wildlife
vi) Amenity impact – overlooking, loss of light, light pollution, noise and disturbance and reduction in quality of life.
vii) Potential flooding and drainage issues
viii) Loss of vehicular access – difficulties for emergency vehicles
ix) Property values will fall
x) Concern over damage to other properties during construction
xi) The bus service is inadequate
xii) Would set a harmful precedent

5. PLANNING ASSESSMENT

The main issues raised by this proposal are: the principle of residential development; the impact on the amenity of neighbours and future occupiers; design; impact on the Local Interest Buildings and character of the Conservation Area; and parking and access. As such the application should be principally considered against Saved Local Plan policies BE1, TR9, and H18 and West Sussex Structure Plan Saved Policies ERA1, LOC1, DEV1, CH1, CH4, CH5, DEV4 and DEV5. Government policy in PPS1: Delivering Sustainable Development, PPS3: Housing, and PPG13: Transport.

Principle

The general principle of more intensive residential use of brownfield land in the existing urban area is supported in Saved West Sussex Structure Plan Policies ERA1 and LOC1 and in PPS3. The proposal would contribute towards the achievement of the Structure Plan housing provision target. Whilst the principle may be supported in policy, the acceptability of the scheme is dependant on relevant environmental considerations as discussed below.

Impact of the amenity of neighbours and future occupiers

The proposed scheme could be considered to provide a good standard of accommodation in terms of floor space with sizes ranging from 44 square metres to 59 square metres approximately and with adequate light to all rooms. However, it is the close-knit nature of the site, inadequacy of space surrounding the buildings and relationship with neighbouring properties which would result in a poor living environment for future occupiers and the occupiers of neighbouring properties. The use of this rear amenity space for four dwellings in such close proximity to neighbouring occupiers would pose a significant threat to residential amenity.

In terms of the impact on the occupiers of the existing dwellings at 15 and 17 Heene Road, the main impact would be to those flats in No. 15 where their outlook is to the rear towards the development, in particular the impact would

be greatest on the lower-ground floor flat. At this point there would be a distance of only 2.5 metres between the rear of the flat and the 4.1 metre high side wall of Unit 3. This relationship is considered to be particularly poor and would be overbearing, causing a significant impact in terms of loss of light and outlook.

Although the impact of units 1 and 2 on the outlook and flats at the rear of No. 17 is not so great, the northernmost pair of houses would be sited only 8.7 metres from the rear projection and, although there are no lower or upper ground floor windows on the rear projection to the original building, the degree of separation is poor and all of the flats, whose outlook is to this rear area, would suffer in terms of the introduction of activity in these rear amenity areas, loss of privacy, and increased noise and disturbance. Furthermore, the garden area to the rear of No. 15 currently contributes positively as a valuable amenity space for residents and likewise the rear area of No. 17 as a parking area. The loss of these areas would further diminish residential amenity for those existing residents at No's 15 and 17.

Turning to the wider impact on surrounding occupiers, the main concern here would relate to the impact on No's 1 and 2 Chios Cottages, No's 129-131 Rowlands Road and occupiers of No. 13 Heene Road. At 13 Heene Road, a high wall separates the garden of this property from the application site. Immediately adjacent to the boundary wall is a private garden area serving the ground/lower ground floor flat on the northern side of No. 13. The positioning of the proposed pair of houses (units 3 and 4) within 1.5 metres of the boundary with this property, extending for more than 6 metres before being staggered to step in away to the north and continuing a further 6 metres at a distance of 3 metres to the boundary, would be overbearing. The cumulative impact of the built form along this boundary, although staggered would increase the sense of enclosure, harming the living conditions of the flat and the enjoyment of the garden area for those occupiers.

To the west, Chios Cottages have relatively short rear gardens (approximately 7 metres in length) and No. 1 Chios Cottages has both ground and first floor windows facing onto the application site. The southern pair of proposed dwellings is designed so that its flank wall sits almost centrally between the two existing dwellings at Chios Cottages. The height of the eaves at this point would be 4.1 metres with a hipped roof continuing up to a height of about 6.2 metres. The side wall would be approximately 3.3 metres from the boundary with Chios Cottages. Having regard to this proximity and the limited garden areas to Chios Cottages, it is considered that the proposal would result in a cramped and overbearing overdevelopment of the site to the detriment of residential amenity.

The impact on Nos.131 and 129a to the north west and north of the proposed dwellings would be more limited due to the existing relationship with the block of garages and because No.129a has a blank wall facing the application site. However, the perception of overlooking would be increased into the rear of Nos. 131 and 129 as a result of north facing windows in units 3 and 4 positioned approximately 17 metres away. The northern pair of dwellings is designed with ground and first floor windows in the east elevation which would

experience a close relationship and inter-visibility with the occupiers in No. 129 as well as in Nos.15 and 17 Heene Road.

Design and impact on the character of the surrounding area

The detailed design of the dwellings is fairly well-conceived appearing as a converted coach house and using materials sensitive to the Conservation Area location. To some extent, the design reflects the close-knit nature of the site and it is clear that the scale of the buildings proposed have been constrained by their relationship to surrounding dwellings. However, as has been stated, the inadequacy of the space surrounding the buildings and poor relationship with neighbouring properties would create an unacceptable living environment for future occupiers and the occupiers of neighbouring properties.

Although the rear garden area of No. 17 has been used for parking, the soft landscaping of the garden area of No. 15 makes a valuable contribution to the character of the area as well as providing an important amenity space for occupiers. The proposed development in such a limited site area would be out of character with its surroundings and the loss of the garden area would be particularly harmful to the immediate locality.

Parking and access

The application site is in a sustainable location, close to local facilities and within walking distance of public transport. In terms of parking standards the maximum standard for the proposed dwellings would be 7 parking spaces. Four garages and several informal car parking spaces currently serving the existing flats at No. 17 Heene Road would be removed.

The key objective of PPG13 is the adoption of an integrated approach towards transport and planning, shaping the pattern, location and density of development in order to reduce the need to travel, especially by private car, and at the same time making it easier for people to make more sustainable transport choices. PPG13 urges local planning authorities to "seek greater intensity of development at places with good public transport accessibility.."

The site is in a location where residents need not be reliant on the use of a private car, within walking distance of the town centre and easy access to bus services. The Highway Authority has raised no objection and the applicant has made efforts to provide for alternative transport by including cycle parking facilities.

Notwithstanding the concerns expressed by local residents regarding the increased pressure for parking, having regard to the sustainable location of this site, the type of accommodation proposed, which is likely to be occupied by small households, and the weight of current Government Guidance within PPG13, it is considered refusal could not be justified on the basis of an increased parking shortfall, particularly in the absence of an objection from the Highway Authority.

Conclusion

Although the principle of residential development may be acceptable and would contribute to the Structure Plan housing targets, the constrained nature of the site, inadequacy of amenity space surrounding the buildings and poor relationship with neighbouring properties, in conjunction with the scale of the development proposed, would result in and overdevelopment of the site resulting in an unacceptable standard of accommodation to the detriment of the living conditions of future and neighbouring occupiers.

6. RECOMMENDATION

Refuse on the grounds that,

1. Having regard to the constrained nature of the site and its surroundings, the proposed dwellings, by virtue of their unsympathetic siting, scale, bulk and design, would represent a cramped and overbearing overdevelopment of the site which would be detrimental to the character and appearance of the Conservation Area, the amenities of adjoining occupiers in terms of loss of light, outlook and privacy, and would provide a poor living environment for future occupiers. As such the proposal is considered contrary to Saved Policies BE1 and H18 of the Worthing Local Plan, Saved Policies CH1, CH4, CH5 and DEV1 of the West Sussex Structure Plan, PPS1: Delivering Sustainable Development, and PPS3: Housing.

7. BACKGROUND PAPERS

Observations of the Highway Authority
Observations of the Executive Head of Health Housing and Community Safety
Observations of the Conservation Area Advisory Committee
Observations of the Worthing Society
Letters of representation by members of the public

21st April 2009