Expiry Date – 23/1ppa 2/3

Development Control – Delegated Officer Report

Application Number: AWDM/1771/17 Recommendation – Approve

Site: **Land South Of The Old Rectory, Kingston Lane, Southwick**

Proposal: **Detached 4-bedroom house with roof dormers on south and east elevations and attached garage (amendment to AWDM/0218/14 and part retrospective for increase in depth of first and second floors and addition of ground floor bay window all on south elevation).**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 18/1

Site and Surroundings

The application site forms part of the curtilage of the Old Rectory, a Grade II Listed 2-storey stucco dwelling with a hipped, slate-covered roof, and Georgian-style sash windows. It dates from c.1840 and occupies a 'backland' position within spacious wooded grounds accessed via a private drive from Kingston Lane. The grounds extend southward adjoining Church Lane. Many of the trees on the site were made subject to a Tree Preservation Order in 1982, but a large number were destroyed or severely damaged in the storm of 1987. The trees have been poorly maintained and the southern part of the site has been largely left unused and overgrown for many years. The site is enclosed to the south and west by a traditional flint wall.

Old Rectory Cottage, a flint-built thatched cottage dating from the 17C which is also Listed Grade II adjoins Kingston Lane to the west of the Old Rectory. Adjoining the site to the east is a private tree-lined drive leading to a pair of 'backland' chalet-style dwellings built in the former walled garden of the Old Rectory, dating from the mid-1980s. Development on the south side of Church Lane consists of individual-style detached dwellings dating from the late 19C and throughout the 20C. All the above, including the application site, are located within the Southwick Conservation Area, close to its historic core centred on St Michael and All Angels Church dating from c.12-13C (Listed Grade II*). Kingston Lane is a busy local distributer road linking the A259 coast road with the A270 Old Shoreham Road. In comparison, Church Lane has a distinctly low-key, semi-rural character consisting of a relatively narrow carriageway with pavement on the north side and tree-lined verge on the south side.

Permission to sub-divide the plot and erect a 4-bedroom house in the south-west part of the grounds was originally allowed on appeal in 1986 and subsequently renewed with minor revisions in 1990 and 1995. Planning permission was granted for a detached, 4-bedroom house (with double garage) of a different design in 2000 (SW/44/00/TP

refers). Although the footings of this dwelling were constructed (c.2005) the conditions of the planning permission were never discharged such that the works taking place were unauthorised. The planning permission lapsed in November 2005 without implementation.

In 2014 planning permission was granted for a 4 bedroom detached house with a slightly different design to that agreed in 2000. Pre-commencement conditions attached to this permission were all finally agreed last summer and works recommenced using the unauthorized footings of 2005, siting the house to avoid a public sewer which traverses the site from north to south. The development is up to ground floor head height.

Proposal

The applicant would like planning permission to enlarge the approved house by adding a cantilevered bay window to the ground floor south elevation. In addition he would like to extend the depth of the first and second floor out to the approved ground floor wall depth in this same area. The approved scheme had the first and second floors set back at this point. The client would like the same depth of wall on all floors, plus the bay window. The extra depth at first and second floors southwards is annotated to be 835mm. The bay window is 650mm in depth.

The effect is such that the bay window will line through with the front wall of the approved garage.

The bay window is to be cantilevered thereby not altering the foundations already laid. I am advised that the existing foundations for the approved south ground floor wall in this area are sufficient to support the increased depth at first and second floors. Building control advise that they were inspected in 2005 and found to be acceptable.

Relevant Planning History

AWDM/0214/14 - Detached 4-bedroom house with roof dormers on south and east elevations and attached garage to south west of The Old Rectory. Granted 29.6.15

Consultations

Southern Water:

'I can confirm that our requirements included in our most recent letter dated 22/12/17 did not take into account the details approved in 2014 and 2015.

Our comments in 2014 stated:

1. No construction works parallel to the sewer within 500mm (in plan).
2. Where within 3 metres, foundations to be taken down 150mm below the invert level.
3. Sewer to be bridged by PCC lintel to Building Control specifications (where applicable).
4. Replacement work to be carried out in approved material (not PVCu).
No internal public manhole.

The works will be subject to approval under The Building Regulations. Southern Water approves the construction as approved during the previous consultation and our comments of 22/12/17 are to be superseded by the above requirements.

As Southern Water has not received from the applicant the details of exact location of that public sewer and because the matter was allowed to be overseen by Building Regulations Authority, it is not clear however if the proximity of the sewer has been confirmed on site by the developer (which is their obligation). '

Original comments:

'Please find attached a plan of the Southern Water sewer records showing the approximate position of a public foul sewer crossing the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:
No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewer.
In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public sewers, prior to the commencement of the development."

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk''.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk''.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.'

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Adur Local Plan 2017 Policies 1, 2, 3, 15, 17, 20, 30, 31, 35 and 36.

Planning Assessment

Principle

The principle of development of this large dwelling has already been agreed in the 2014 permission. For consideration in this case is simply the effect of the changes in design on the conservation area and adjoining listed buildings, neighbour amenity, trees on site, the sewer crossing the site and drainage.

Trees, Drainage, Sewer

As the changes proposed now do not alter the footings of the scheme approved in 2014 there are no new effects on trees on the site, drainage or the sewer. Building Control has confirmed that drainage and foundations were inspected in 2005 and found to be acceptable.

Neighbour amenity

The increased floorspace all relate to the south elevation of the building. The first and second floors are proposed to be extended in length by less than 1 metre to line through with the approved ground floor wall at this point. In addition a cantilevered bay window is proposed for the ground floor. Development is still 12 metres from the southern boundary and the front wall of neighbouring houses on the south side of Church Lane are another 15 metres away. The extensions will not be harmful to neighbour amenity.

Design/conservation area

The proposals weaken the original design but not to such an extent that it could be argued that they will be harmful to the conservation area or the adjoining listed building.

Recommendation APPROVE subject to the following conditions:

1.Approved Plans
2. 3 years

3. Materials as previously agreed
4. Windows and doors as previously agreed
5. Walls and fences as previously agreed
6. Agree and implement parking
7. Landscaping as previously agreed
8. Protect trees
9. PD removed
10. Surface water drainage as previously agreed.
11. Protect public sewer
12. Hours of work
13. Construction management Plan as previously agreed

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Please Note: Following commencement of the development, the exact position of the soakaways will need to be agreed on site with Mr Sergeant, the Council's Senior Tree and Landscape Officer.
Tel:- 01273 263477 or Email: jeremv.sergeant@adur-worthing.gov.uk

3. As previously advised the agreed Construction Management Plan lacked detail in respect of good practice when dealing with dust and dirt. If during the construction process complaints are received in either regard the matter will be referred to Pollution Control for investigation.

4. A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 28/2/18
Authorised and signed by:	Peter Barnett	Date: 28 February 2018