Application Number: ADC/0640/07 Recommendation – APPROVE

Site: **44 Cokeham Lane, Sompting BN15 9UR**

Proposal: **Conversion of existing Victorian villa into 2 semi-detached three-bedroom houses (with two-storey rear extension) and erection of a three-bedroom detached house to east side, plus 7-space car park accessed from Lotts Lane (with existing outbuilding demolished and access closed by flint wall)**

The Application

The application site is located on the corner of Cokeham Lane and Lotts Lane and comprises of a large Victorian house with white rendered walls and a slate roof. It sits on the central western side of a large plot 28 metres in width and 45 metres in depth with an area of 0.13 hectare. A small outhouse is sited to the south east of the house, close to the road junction. There is a large Yew tree subject to TPO on the Cokeham Lane boundary amidst neat hedging and a flint wall. This hedging continues around the northern boundary with further hedging sited on the Lotts Lane frontage behind a smaller red brick wall. To the west of the site is a detached chalet bungalow and there is a block of flats (Graham Court) to the north.

A previous application ADC/0492/06 to demolish the house and outbuilding and erect 4 three-bedroom houses fronting Cokeham Lane was refused on the grounds that:-

"1. The proposal would detract from the existing environmental quality of this prominent site and not create a high quality development having sufficient regard to the characteristics of the site and the contribution it makes to creating a sense of place. The proposed buildings would lack the distinctiveness of the existing house and would also appear cramped and too close to an important tree subject to TPO.
2. The proposed layout of the development relative to the orientation and shape of the plot and its relationship to the existing adjacent dwelling and flats would be unneighbourly and would constitute overdevelopment detrimental to the residential amenities of the locality.'

The present application seeks to retain the existing Victorian building but convert it into 2 three-bedroom houses by adding a twin-pitched two-storey rear extension 4.5 metres deep by 9.5 metres wide. The first house would be accessed from a new entrance on the west side whilst the slightly larger second house would utilise the existing main front door and hallway.

Additionally, the outbuilding is to be demolished and a three-bedroom detached house built within the east side garden. This house would be lower and much narrower than the existing house but would replicate its

architectural style with front bay windows, rendered finishing and similar detailing. Due to the protected yew tree on the eastern boundary requiring a 6 metre radius root protection zone, the new house is shown located 2.5m further forward than the main house and with its rear wall staggered around the tree protection zone.

The existing front garden is proposed to be converted into a parking area for seven cars with a new access off Lotts Lane (as suggested by WSCC at the time of the earlier refused application). The wall and hedging on the south boundary is to be reduced to 0.6 metres in height to allow for the requisite visibility splays whilst the existing Cokeham Lane corner access is to be stopped up by a 0.6 metre high flint wall constructed around the boundary. It would join onto the existing flint wall south of the protected tree. The proposed footway would terminate south of the yew tree where a dropped kerb would allow crossing of Cokeham Lane.

A Stage 1 Safety Audit has been submitted together with a Design and Access statement.

Consultations and Representations

County Transport Planning Services: No objection subject to amendment of the plan to show dropped kerbs (with tactile paving) on both sides of Cokeham Lane. A Section 106 sustainable transport contribution of £3,250 is required.

County Planning Services: The Conservation architect comments that the proposed additional house is in the same style as the existing house and would contribute to the streetscape.

Director of Services: The EHO has no objections but recommends that a contaminated land report be required by condition of any approval.
The Assistant Parks Manager comments that the yew tree is a prominent feature and appears to be in good health. Although the proposed development would be close to it, this need not be a problem provided the recommendations in the tree report are adhered to.

Sompting Parish Council: Object strongly on grounds that the proposal is felt to have access problems and to be overdevelopment of a small site. Also, are very concerned about the demolition of an historically significant building and the impact on the flint wall.

Third Parties: 6 letters have been received from local residents at No's 2, 3, 4, 5 & 'Remaur', Lotts Lane and 62 Cokeham Lane.

No.5 'Sunnybrae' Lotts Lane raise objection on grounds of detriment to highway safety, traffic and parking. They refer to the increasing use of Lotts Lane as a through road to Western Road, along with its use to park commercial vehicles and other vehicles by Western Rd residents, creating a hazard and difficulty for residents exiting their driveways. They consider the

additional traffic generated by the proposal would exacerbate the problem and cause added detriment to safety in Lotts Lane. If WSCC were persuaded to impose 24 hour parking restrictions, the problem would be largely solved and they would withdraw their objection. Although not happy about the impact of the height and depth of the rear extension on their property, they do not wish to object on grounds of loss of light or privacy.

No's 2 and 3 Lotts Lane object on similar highway grounds as set out above.

No.4 Lotts Lane object on the grounds that the new house will be overdevelopment of the site in addition to objecting on highway safety grounds and noise disturbance from the new dwellings.

'Remaur' Lotts Lane feel the new house would be quite sympathetic but mention difficulties experienced by local residents with the volume of through traffic experienced along Lotts Lane and on-street parking.

No.62 Cokeham Lane have no objection and consider the new access safer than the existing one.
[NB. the residents of 'Sunnybrae' and No.3 Lotts Lane have requested to speak at the committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved until adoption of the new South East Plan): LOC1, CH1, CH4-5, NE2, ERA1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AB24-27, AH2, AH5, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space around New Dwellings and Flats'
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

Policies

The site is located within a residential part of the built-up area of Sompting and the proposal constitutes infilling as provided for in both Structure and Local Plan policies. There is no objection in principle to infill development within the built-up area and, in order to meet the housing requirements of the approved Structure Plan and Local Plan, a significant proportion of housing development by way of 'unidentified' small infill sites is necessary.

Structure Plan policies give significant weight to making the best use of land through higher density development provided that the impact on the character

of the area and environment is acceptable (LOC1, ERA1, CH1) and subject to policy DEV1 requiring high quality development. Policy NE1 requires the provision of new residential developments of sizes, types and tenures to suit the varied needs of local households and to minimise the need to develop Greenfield sites. Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met. DEV5 states that "Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative". The explanatory text refers to a transport contributions methodology (now adopted as TAD payments to sustainable transport improvements).

Local Plan policy AH2 relates to new residential development (by way of infilling and redevelopment) and states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density, layout of buildings and hardsurfaced areas; they do not have an unneighbourly effect due to loss of privacy; daylight/sunlight; outlook or open space, incorporating adequate standards of residential amenity for the new dwellings in terms of amenity space, daylight, outlook and privacy; access and parking provision meets the adopted standards; and they accord 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 more effective use of previously developed land for housing development at higher densities (avoiding developments at less than 30 dwellings per hectare) 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" (para 13).

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. Similarly, in Conservation Areas and other local areas of special character where, if proper attention is paid to achieving good design, new development opportunities can be taken without adverse impacts on their character and appearance" (para 49).
"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" (para 50).

Density, Character and Appearance

The surrounding area is at a lower density than that set out in Government guidance (minimum of 30 dwellings per hectare), being 23 dph whilst the plot itself is currently at only 9dph. The proposed creation of two additional units would raise this to 27dph which, although still lower than Government guidance, is considered acceptable given the restraints on the site posed by the existing house, the protected tree and its junction location. Any greater density would also serve to give a cramped appearance on a prominent site within a low density area.

Cokeham Lane and Lotts Lane feature a wide variety of built forms, with bungalows predominating in Lotts Lane and a mix of houses, flats, bungalows and older scattered cottages in Cokeham Lane. The corner site in question is of an historic nature featuring a Victorian house, an outbuilding and flint walls which appear to be much older and a protected yew tree, the combination of which gives particular amenity value and distinctiveness to the streetscene. Although the main building is not listed, policy CH5 states that the character and setting of unlisted buildings or groups of buildings should be protected and where possible enhanced. The earlier application for total redevelopment of this site was refused in part as it was considered that the 4 three-bedroom semi-detached houses proposed were inferior in terms of quality and distinctiveness to the existing house. The proposed retention of the Victorian house, albeit converted into two dwellings, thus allows for the retention of a building central to the inherent character of the area.

The demolition of the older outbuilding, to which the Parish Council object, is regrettable but it is not considered that it is of sufficient historic interest or intrinsic architectural quality as to satisfy the criteria for listing. It would not serve any meaningful purpose. The historic field flint wall bounding the site to Cokeham Lane is of greater historic value and combines with the protected Yew tree to form a noteworthy feature important to the character and semi-rural nature of this section of the road.

The proposed new house is designed to replicate the style and proportions of the Victorian house but on a smaller scale. It would have a front bay window, rendered walls, tile roofing and detailing. Due to the proximity of the protected tree the new house will sit 2.5 metres further forward in its building line, level with No.3 Lotts Lane two dwellings to the west. This break in the building line of Lotts Lane is not considered to be problematic due to the new dwelling's close relationship in architectural style to the Victorian house rather than the bungalows to the west. When viewed from the east, the building line of the new dwelling would not cause it to obscure or overdominate the Victorian house as it would be lower with a ridge height (6.5 metres as opposed to 7.9 metres), appearing clearly subordinate to its larger partner. When viewed from the north, the new house would be mostly obscured by the protected tree, flint walls and hedging but it does feature a staggered east flank wall that gives it a visual interest and character.

There would be a 2 metre wide separation between the buildings, meeting the Council's minimum standard, and a 3.5 metre wide gap to Cokeham Lane. All three rear gardens would be at or above 80 square metres in size which compares favourably to other gardens in the area and is only marginally below the Council's DC Standard of 85 square metres for three-bedroom detached and semi-detached dwellings.

The proposed rear extension to the Victorian house would be set in 0.5 metres from the flank walls with a pitched roof to match the main house. It replaces a 3.5 metre deep pitched single-storey outhouse attached to the west side of the rear elevation. In order to keep the extension subordinate to the proportions of the original dwelling, the roof has been reduced to a twin pitch with a central valley and rear hips.

Trees and landscaping

The relatively large mature Yew tree on the site, located adjacent to Cokeham Lane, is subject to a TPO made in 1976.

Local Plan policies AB24 and AB25 state that felling trees with TPOs will only be granted in exceptional circumstances and planning permission for development which would adversely affect existing trees will only be granted where the trees are of poor health or of little amenity value. It is also stated in policy AB26 that sufficient space shall be left around trees to avoid threatening their survival.

The tree is a feature of substantial amenity value to the area and there is a need to protect it adequately from root or other damage caused by construction work. The previous Tree Report identified the need for a minimum 6 metre diameter protection zone. The new house has subsequently been designed so that the prescribed protection zone is touched by foundations at two points only. This is considered acceptable to protect the tree.

Although the proposed new house would be sited relatively close to the tree, it is not considered that the tree would have an overtly overbearing impact on light into the building. The western windows of the house predominantly serve hallways or are secondary within the rooms that they serve. No room will thus be overshadowed by the proximity of this tree.

The existing hedges are to be retained and, in the case of the front hedge, lowered to 0.6 metres in height to allow adequate visibility. Additional trees are to be planted on either side of the parking area that will soften the impact on the development within the streetscene and help retain greenery.

Residential amenity

The main impact of the proposal will be on 'Sunnybrae' to the west which sits 3.2 metres from the western flank of the Victorian house. The proposed two-storey rear extension would not cause any overlooking issues as no first floor

windows are sited within the flank wall. The ground floor kitchen/diner side window would face the 1.8 metre high boundary fence 3.1 metres away. It is not considered that there would be an overbearing impact or unacceptable loss of light, the rear corner point being sited 45 degrees from the centre point of the nearest rear window in 'Sunnybrae'.

Between the new building and the Victorian house, little potential overlooking will occur. A mid height stairwell window in the western flank of the new dwelling is obscured as it faces both ground and first floor side windows in the main house. Although the new dwelling is close to the east flank windows of the main house, its lower profile allows good light access from above and to the rear bedroom.

Access and parking

A Stage 1 Safety Audit has been submitted with the application but WSCC have requested an updated Audit, a Designer's Response to the recommendations of the audit report and an amended plan showing these changes. This has been supplied and shows that the main issues have been addressed but the response from WSCC is awaited.

The new access, as required by WSCC, is sited in Lotts Lane and shows the requisite 2.4m by 43m visibility splays. The existing access on the corner of Cokeham Lane is to be permanently shut with a new flint wall built to infill the gap, connecting the historic flint wall on Cokeham Lane with the new access point. As required by the Safety Audit, this wall will be 0.6 metres in height and will follow a revised 6m radius junction kerb line. The Safety Audit raised concern over the pooling of water on the highway near the junction. The existing gulley is now shown moved onto the natural low point at the junction to address this issue.

WSCC wished to see the footpath on the western side of Cokeham Lane extended north to meet the footpath outside Graham Court. This was incorporated into the previously refused scheme but would necessitate the loss of the historic flint wall and also involved the construction of a footpath around the western side of the tree. However, environmentally, it is considered essential to retain both the tree and the historic flint wall. As a compromise, only the southern part of the flint wall is now proposed to be removed with the footpath provided northwards from the junction to a point level with the front of the proposed house (9m south of the tree). A dropped kerb is shown to facilitate crossing of Cokeham Lane but WSCC require further amendment to include dropped kerbs both sides and tactile paving.

The new Lotts Lane access would serve a hardstanding and turning area for 7 on-site parking spaces for the three dwellings, two for each plus a visitor space. This is in line with the Council's recommended maximum standards and is sufficient to avoid the need to park on-street.

All the letters of objection raise concern over the impact of the new access point on highway safety. However, this new position has been sought by

WSCC as it is safer than the existing Cokeham Lane corner access and this is verified by the Safety Audit which raises no problem with its location as it provides good visibility along Lotts Lane when exiting the site. The main concern of the objectors is the impact of the volume of traffic that already utilises Lotts Lane, a road with no parking restrictions and often crossed by schoolchildren. Several of the objectors have stated that they would withdraw their objections if parking restrictions were to be implemented on Lotts Lane but this is an issue for WSCC beyond the remit of this Council as local planning authority. It is not considered that the proposed development would add an unacceptable amount of additional traffic to Lotts Lane such as to cause environmental or safety problems.

Subject to payment of the sustainable transport contribution under the adopted Revised West Sussex Parking Standards and Transport Contributions Methodology (calculated as £3,250), it is considered that the parking provisions are acceptable.

Recommendation

A. Subject to completion by 18 December 2007 of a satisfactory Section 106 Obligation undertaking to pay £3,250 to sustainable transport improvements in the area, APPROVE for the reason:-

The proposed development is within the built-up area and would help to meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties, without detraction from highway safety and without loss of the tree subject to TPO. The proposal would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB24-27, AH2, AH5, AH7) and the West Sussex Structure Plan (LOC1, CH1, [illegible], NE1, ERA1, DEV1, DEV4-5)

Subject to:-

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls and fencing to be approved and implemented including requirement to erect new flint walls) (amended)
3. C8Biv (Parking spaces and access facilities related to dwellings to be constructed and retained)
4. C9Ai (Pavement crossing details)
5. C9Ciii (Turning space to be provided and retained)
6. C9Ki (Existing access to be closed prior to commencement of use and provision of new footway north of junction including dropped kerbs and tactile paving at its north end) (amended)
7. C9N (Temporary provision for contractors' vehicles, materials, etc on the site)
8. C9S (Temporary wheel cleaning facility during construction work
9. C11A3 (Hard and soft landscaping scheme)
10. C11F (Protection of existing tree during construction work by temporary fencing etc)

11. C12Ai (External materials for walls and roof of building to be approved)
12. C12A3 (Sample panel for flint walling) (amended)
13. C12Eii (External walls and roof of extension to match existing)
14. C12F (Windows of the extension and new dwelling to match existing)
15. C14Ai (Permission relates to amended plan received on 14 November 2007)
16. C14H (Existing outbuilding to be demolished prior to development) (amended)
17. C18B (Removal of PD rights for extensions or curtilage buildings)
18. C18Ci (Glazing in west side elevation of new building to be of obscured glass)
19. C18Eii (No additional windows to be formed in side walls of the rear extension or the west side of the new house without planning permission) (amended)
20. C18K (Provision for waste storage)
21. C18Ri (Ground contamination investigation)

B. In the event that a satisfactory Section 106 Obligation is not completed by 18 December 2007 (the date that the statutory period for determining the application expires), that authority to refuse the application be delegated to the Head of Planning and Community on grounds that it does not comply with Structure Plan Policies DEV3-5 and the Revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area.

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