Development Management - Delegated Officer Report

Application Number: AWDM/1896/19 Recommendation – Approve

Site: Land South Of 107A Gardner Road, Southwick

Proposal: Proposed two storey detached dwelling

Date of site visit: 12 December 2019

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site comprises vacant land between 107A Gardner Road (former Vicarage) and a former Church now is use by Stepping Stones Children and Family Centre. The site measures 8m wide at the front and rear but narrows to 7.4m towards the centre of the site. A motorcycle distribution centre is located on the opposite side of the road to the north; Fishersgate Recreation Ground is to the south, with an all-weather football pitch closest to the site.

It is proposed to construct a detached two storey 3-bed dwelling on the site measuring 5.5m wide and 10.5m deep (90m2). It will have a pitched roof with side gables and projecting gable feature at the front. It is shown as being finished in brick and tile with a band of render at first floor on the front elevation.

Relevant Planning History

PREAPP/0499/19

Consultations

West Sussex County Council: The **Highways Authority** has no objection.
Access
The proposed dwelling will be accessed via new vehicular access onto Gardner Road. Visibility splays at the proposed access have not been demonstrated; however, they appear sufficient for the posted speed limit using land wholly considered public highway. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over period of the past five years.

There are no recorded injury accidents within the site vicinity, therefore there is no evidence to suggest that the proposal would exacerbate an existing safety concern. The proposed crossover must be implemented under a licence to a specification obtained by WSCC Highways. It should be noted that the typically the most allowable crossover width is 6.4m.

Parking and Sustainability
Parking provision of one space is proposed to serve the new dwelling. This space complies with the minimum standard of 2.8m x 4.8m per single bay, as

stated in Manual for Street (MfS) guidance. The WSCC Car Parking Calculator would expect 2 spaces to be provided for dwelling of this size and location. Given the site is situated in sustainable area and provides space for cycle storage, the shortfall of one space is not anticipated to be detrimental to the highway safety. The closest train station is Fishersgate, which is approximately 3 min walk. Local shops and amenities are also within short walking distance.

A turn onsite would be preferred; however, there is insufficient space to accommodate this. However, other properties in broader location seem to operate the same way without any evidence of a safety concern.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. Due to the small scale nature of this proposal, the anticipated provision of active EV spaces for this development would be 1 space and should be provided in accordance with the above WSCC guidance.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Recommend conditions to secure car and cycle parking.

Adur and Worthing Councils: The **Environmental Health** Officer recommends condition to control working hours

Technical Services: Flood risk- The application is within flood zone 1, and is not shown as being at risk from surface water flooding. I therefore have no objections to the proposed development on flood risk grounds.

Surface water drainage- the application form states that surface water will be disposed to main sewer. The hierarchy for sustainable drainage must be followed. Please can further details be submitted evidencing that sustainable drainage principles are to be followed?

Southern Water: Public surface water sewer close to site

HSE: HSE does not advise, on safety grounds, against the granting of planning permission in this case

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 12, 15, 18, 19, 20, 22, 28
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Shoreham Harbour Joint Area Action Plan 2019
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal involves increasing the housing stock within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, parking and highway considerations and the effect on the character and appearance of the surrounding area.

Visual amenity

The house will stand alone and will be unusual in that it is detached with gabled ends as the majority of houses in the vicinity are hip or barn-hip roofed semi-detached or terraced. However, 107A to the immediate east is a larger detached house with gabled ends while the former Church to the west is also gabled. The proposed building would therefore be read more closely with these buildings on either side and the infilling of this small space with a dwelling of this type is considered to be acceptable in principle.

The site is narrow and there was a slight concern that it would appear cramped. However, a reasonable gap (8-10m) will be maintained to the side of 107A and the Church (4m). The width of the plot at 8m compares favourably to those of the terraced houses to the east and west which have plots of between 4.5-6m width.

Externally, the materials have been amended during the course of the application to include a band of render across the first floor on the front elevation to match more closely other dwellings in the street.

On balance, it is not considered that the proposed house would cause harm to the visual amenities of the locality.

Residential amenity – existing residents

The only affected dwelling is 107A which has two first floor windows and a ground floor window facing the site. However, these appear to be secondary windows or are partly obscured already by vegetation within the garden of 107A and, given the separation of 8-10m to the side of the proposed house, it is not considered that 107A will suffer a harmful loss of light or outlook. No window is proposed for the side elevation to protect privacy.

Residential amenity – future occupiers

At around 90sqm the internal floor area is just short of the minimum standard for a 3 bed, 5 person 2 storey dwelling (93sqm), but does exceed the 3 bed 4 person standard of 84sqm. There is no concern therefore with the standard of internal accommodation to be provided.

Externally, the rear garden measures between 5.5m-6m deep and has an area of around 50sqm. The Council's SPD requires a minimum depth of 11m where one house backs onto another (not the case here) and an area of 85sqm for a small detached dwelling (up to 3 bedrooms or 120sqm). The rear garden would therefore fall considerably short of this minimum area.

The applicants have submitted a statement in support of the application which refers to an approval for a new dwelling in Shoreham last year where there was a shortfall but which was approved due to the close proximity of an area of public open space to the site. In this case, Fishersgate Recreation Ground is to the rear of the site, easily accessible by footpath from Gardner Road. The applicants have also pointed out that houses closeby in Gardner Road have garden areas of between 44sqm and 66 sqm, with an average of 55sqm, similar to that now proposed.

However, in this case the rear garden depth is just 6m and this leaves very little scope for future extensions which could reduce the garden area further. In the circumstances, permitted development rights should be removed by condition. It was originally suggested that this should include roof extensions, as an additional bedroom would add further pressure on car parking and amenity space, and outbuildings which would also reduce the amount of garden available (Classes A-E). However, the applicant's agent has responded by advising of an appeal decision (not within Adur &Worthing) where an Inspector ruled in favour of the removal of Classes A and E in terms of safeguarding amenity space, but not Class B, which was only removed in that case on the grounds of protecting privacy. He stated:

"*In the event that permitted development rights under Class A or E were then exercised, this could impact significantly on the already very limited external open space at the rear, and could potentially adversely affect both the new dwellings and the future occupiers' enjoyment of such. This would affect the character of the area, and could also have implications for the amenities or living conditions of neighbouring occupiers. In addition, given the proximity, roof extensions under Class B could give rise to potential overlooking and loss of privacy to neighbours*." Appeal Ref: APP/Q1445/W/18/3206340
87-89 Cowper Street, Hove.

He went on to state:

"*Paragraph 55 of the National Planning Policy Framework says that planning conditions should only be imposed where they are, amongst other things, necessary and reasonable. The Planning Practice Guidance (PPG) says that conditions restricting the future use of PD rights will rarely pass the test of necessity and should only be used in exceptional circumstances. It comments that blanket removal of freedoms to carry out small scale domestic alterations*

that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity."

While roof conversion and extension under Classes B and C could give rise to an additional bedroom, increasing the size of the house and further reducing compliance with the amenity space standard, it would not reduce the amount of external space available at the rear. On balance, taking into account advice in the NPPF and PPG, it is considered that a compromise of removing Classes A, D, E and F only would suffice in this case. In reaching this decision, it is noted that public amenity space is also available closeby at Fishersgate Recreation Ground.

Parking and access

One parking space is to be provided whereas two spaces would normally be expected for a 3 bed dwelling in this location. WSCC Highways have not objected as the site is considered to be in a sustainable location, close to a bus route and railway station plus shops and amenities. There is also space to provide cycle storage within the development and the plans show a bike shed in the rear garden.

It is considered that the proposal is acceptable in highway safety terms. The parking space should be constructed with an active EV charging point and this can be conditioned should the application be acceptable in all other respects.

Sustainability and Energy

The site lies within the Shoreham Harbour Regeneration Area where all new development should undertake an assessment of energy demand through the submission of an Energy Statement, in line with the Council's recently adopted SPD (August 2019). Pre-application advice was given on this proposal before the adoption of the SPD and did mention the need for an Energy Statement. It is not considered that it can be insisted upon in this case therefore.

The application contains minimal sustainability information but does state that the house will be water efficient in line with Policy 18 of the ALP.

Hazard

The site lies within consultation distance of a major hazard site, Local Fuel at Shoreham Harbour. The HSE has considered the proposal and does not advise against the granting of permission in this case.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Hours of construction

4. Materials
5. Drainage
6. Remove PD – Classes A, D, E F
7. Car parking and EV charging point
8. Cycle parking

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

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) 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.
- Southern Water sewer advice
- Crossover

Case Officer: Peter Barnett Date: 5 February 2020

Authorised by: Gary Peck Date: 5 February 2020