Expires 2/5/07.

Development Control – Delegated Officer Report

Application Number: ADC/0091/07 Recommendation - Refuse

Site: Land Adjacent 67 Mill Road Lancing West Sussex

Proposal: Detached four-bedroom dwellinghouse with detached garage

The Application

The application site comprises a vacant plot to the south of 67 Mill Road, Lancing. The plot measures approximately 28m wide by 38m deep (0.1 hectare) with an existing bungalow to the north west of the plot. The topography of the area slopes steeply to the south.

The application proposes to subdivide the property to create two plots, with the north half to contain the existing bungalow and the southern part to contain a four-bedroom house, with a detached garage on the south side of the house. The southern plot will have a 17m frontage to Mill Road and take in the existing access. An additional access will be constructed to the north to allow access to the existing bungalow at 67 Mill Road.

The application follows a previous outline application for a 3 bedroom dwelling on land to the south of 67 Mill Road, ADC/0063/06, which was approved in July 2006.

The house is proposed to be located in the south west corner of the plot. The house is designed with a part hipped gable end fronting Mill Road, with featured flint work over the front elevation. The remainder of the house is to be finished in brickwork with a tiled roof and northern side roof dormer.

Consultations and Representations

Consultations/Comments

County Transport Services: has no objection to the proposal, subject to a number of conditions which include:-

- A Sustainable Transport contribution of £1560 to be the subject of a Section 106 Agreement;
- Visibility spays of 2m x 70m from the access onto Mill Road to be provided with pedestrian visibility splays of 2m x 2m on either side. The visibility splays are to be kept free of all obstructions over a height of 0.6m;
- The provision of a wheel wash facility within the site during construction;
- Appropriate access, car parking and cycle parking to be provided on the site.

Lancing Parish Council: No comments received.

Third Parties
Two third party letters have been received objecting to the proposed development on the following grounds:-

- The proposed house design is out of character with the surrounding village and thatched cottages;
- The proposal will cause unnecessary death to wildlife;
- The proposal will create further pollution and noise;
- The proposed dining room windows on the southern side elevation will overlook the property to the south no. 61 Mill Road;
- Possible damage to the shared boundary fence to the south;
- Building work has already commenced on the site.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (2005): LOC1, NE1-2 ERA 1-2, CH1, DEV1, DEV4-5
Adur District Local Plan 1993-2006 (1996): AG1, AH1-2, AT12, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard no. 2 "Space around New Dwellings and Flats"
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): H1, H3, T3, T4, ENV 4-5
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1: 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPS9 'Biodiversity and Geological Conservation' (ODPM 2005).

Planning Assessment

Planning Assessment

The principle of development on this site has been established by planning permission ADC/0063/06 which approved an outline application for a three bedroom house on the site with siting and access details. This application now proposes a four bedroom house, with the siting and access details unchanged from those approved in application ADC/0063/06. The application provides further details of the internal layout and external design of the house for assessment. The relevant planning issues are therefore the proposed design of the house in relation to the character of the locality, the impact of the design on the surrounding residential amenity as well as any outstanding issues as raised in the original outline assessment for the proposed house.

Relevant Policies

The structure plan policies (LOC1 and DEV1) encourage new development on the proviso that the development enhances the character and distinctiveness

of an area, requiring high standards of design layout and construction and making the best use of urban land at higher densities whilst minimising potential land use conflicts. Local Plan Policy AH2 reiterates these policies by also encouraging infilling and redevelopment providing that the proposal is in keeping and enhances the local environment, is mindful of the existing natural features; incorporates adequate standards of residential amenity for the new dwelling whilst retaining the surrounding amenity; can achieve adequate access and parking and accords with Councils DC Standard No. 2 "Space Around New Dwellings & Flats".

Structure Plan policies DEV4-5 and Local Plan policy AT12 are also relevant as they require safe access to and from development sites. Structure Plan policy DEV4 requires development to provide for the travel needs that it creates and policy DEV5 requires that development should not be permitted unless the level of parking provided is compatible with the need to avoid environmental or safety problems. The requirement for transport contributions and the methodology are referred to in Structure Plan policies DEV4 and DEV5. Local Plan policy AT12 reiterates the requirement to provide safe and adequate access for vehicles, pedestrians, cyclists and to locate developments where they are accessible through public transport. The Adur Development Plan - Submission Core Strategy policy T3 also requires new developments to achieve sustainable transport.

The Adur Development Plan – Submission Core Strategy policy ENV4 is relevant as it requires all new buildings to achieve efficient environmental performance and at the very least to achieve a 'Very Good' or equivalent rating under BREEM (Building Research Establishment Environmental Assessment Method).

Character and Appearance

Third party concerns have been raised stating that the proposed house is not in keeping with the character of the area.

The proposed dwelling is to be designed with a featured flint frontage and a small porch to sit more consistently with the character of the surrounding dwellings and the street scene. The design of the dwelling appears generally in proportion to the scale and design of the existing houses in the area, noting that there is a variety of house designs along Mill Road. The existing bungalow is located in the north west corner of the site and with the proposed house to be located in the south west corner at a lower topographical level, both dwellings will appear to be well spaced and individually sited within their plots. There is sufficient space to enable the proposal to achieve road frontage which is also consistent with the siting of the dwellings along Mill Road. Overall, it is considered that the proposed new dwelling will not significantly alter the existing character of the locality.

Residential Amenity

The proposal will effectively divide the existing plot of approximately 0.1ha in half resulting in the existing bungalow to the northwest corner with a plot area of 500m^2 and a similar plot area for the proposed new 4-bedroom house. The rear garden area of the proposed dwelling would be approximately 260m^2 which greatly exceeds the minimum standard of 100m^2 as required by Councils DC Standard No. 2 'Space Around New Dwellings and Flats'. The existing bungalow would be left with the majority of its garden area to the front (east) and south side of the dwelling, however as it will have over 270m^2 in garden area, which again greatly exceeds Council's minimum standards, there would appear to be an acceptable amount of amenity area.

The proposed dwelling is to be located 5.5m to the north of the shared southern boundary with no. 61 Mill Road. The majority of the windows and doors are located to the east and west of the house (front and rear elevations), however there are two roof lights and a window to service the dining room proposed for the southern elevation. A third party letter has been received from the occupant of no. 61 Mill Road noting a concern about the proposed dining room window and the impact on adjacent privacy. On the original plans the dinning room window was illustrated as being obscurely glazed and fixed shut and it is considered that this should be required as a condition of any approval to ensure adjacent privacy is retained. The proposed roof lights should not cause any overlooking impacts.

The proposed house is located 2m from the shared boundary with the existing bungalow to the northwest of the plot. There is a dormer window (servicing a stairwell) and a small bathroom window proposed for the northern elevation. Both of the proposed windows are to be obscurely glazed (this should be recommended as a condition of any permission) and should not therefore cause any undue overlooking impacts. Additionally as the houses to the north, including the exiting bungalow, are located at a higher topographical level the proposed house would have little impact on their access to light and general amenity.

Given the proximity of the proposed house to the existing bungalow and the slope of the land, there may be some overlooking impacts to the rear garden area and amenity space of the proposed house. It is considered that an appropriate boundary treatment should be required to ensure that the amenity and privacy of the proposed house is retained as much as is possible, however, providing the shared boundary is appropriately screened the overlooking impact should not be so detrimental as to warrant refusal.

As the house is located approximately 20m from its rear boundary the proposed windows to the rear should not cause any significant overlooking impacts.

Access and Parking

Access and parking arrangements were approved in principal under permission ADC/0063/06. County Transport Services has advised that they have no objection to the proposal subject to Section 106 agreement for a contribution of £1560 towards Sustainable Transport projects and standard conditions being imposed which relate to providing appropriate visibility splays, plant and materials wheel wash during construction, the construction of access and car and cycle parking spaces prior to occupation of the new house. All the County Transport Service comments are supported.

At this time the applicant has not completed a section 106 agreement for sustainable transport, which is inconsistent with requirements of West Sussex Structure Plan policies DEV4-5 the West Sussex Transport Contributions Methodology and the Adur Development Plan – Submission Core Strategy policy T3.

Other issues

Trees

The previous outline application was assessed and it was noted that although there is a large number of trees in the area which contribute significantly to the character along Mill Road, the proposal does not involve any works to any of the trees on the site.

It was noted on the previous application that there is a large mature Monterey Cypress on the north side of the adjacent property no. 61 Mill Road. The occupant of no. 61 Mill Road expressed a concern that works to construct a dwelling may affect the root system of the tree and cause the tree to become unsafe. It was recommended previously that although it is unlikely that the construction works will affect the trees root system as the propose house is to be located 6m to the north of the tree, the location of the garage 2m north of the boundary may impact on the root system. A condition was imposed on the outline approval that a survey is carried out by a qualified tree surgeon and mitigation measures be put into place before works commence. It is unclear as to whether a survey has as yet been carried out on the tree and this should again be a condition of any permission.

Protected species

English Nature advised on the outline application that an appropriate survey should be undertaken to ascertain whether there are badger setts within the vicinity of the proposed development, at an appropriate time of year. It is understood that the site was surveyed at the time and although no evidence of badger sets were noted the Field Officer recommended certain precautions be taken by the developer as badger setts from the down land are known to forage in a 0.5km radius. A condition should be included in any permission to ensure that suitable provisions are made for any protected species and their habitats on the site.

Recommendation

REFUSE on grounds that:-

There is ~~no~~ insufficient evidence that the necessary contributions would be made to improvements to sustainable transport to offset the effects of the travel demands generated by the proposed dwelling as required by policies DEV4-5 of the West Sussex Structure Plan and T3 of the Adur Development Plan Submission Core Strategy.

Case officer:.....

Date: 30/4/07