Expiry Date - 01-03-2016

Development Control – Delegated Officer Report

Application Number: **AWDM/1864/15**

Recommendation – APPROVE

Site: **96 Southview Road Southwick Brighton**

Proposal: **Demolish existing two-storey office building and construct 2 x 2 bedroom, two storey dwellings with parking at front**

Neighbours checked: Y
Additional neighbour notifications: /N

Proposal, Site and Surroundings

The proposal is to demolish the existing two-storey office building and construct a pair of 2 bedroom dwellinghouses, two–storey in scale. Each dwelling would benefit from two parking spaces at the front. The design style of the new pair is a contemporary interpretation of late Victorian architecture. The roofs of each are hipped with front bays and front balconies. The full detail of the submission is shown on the submitted drawings.

The application site is a free-standing two-storey redundant office building used informally by SD Holdings Ltd as storage for the business. The surrounding area is residential in its character. Southview Road is 'B' classified and subject to a 30 mph speed limit.

Relevant Planning History

None

Consultations (summarised)

Southern Water: *Add informative*

West Sussex County Council Highways: *No anticipated highway safety or capacity concerns. In terms of vehicle parking anticipated two dwellings of this size in this location would attract demand for 5 vehicle car parking spaces. Proposal includes provision for 2 spaces per dwelling to be parked perpendicular on hard standing within frontages of dwellings. Shortfall of 1 space likely ad hoc visitor parking demand. This would be accommodated within existing on-street provision but not considered detrimental to highway safety. While no turn on site provided, noted other vehicle access points are operating in this location on this basis. Checked most recently available verified accident records, which reveals no personal injury accidents in vicinity of site considered of significance to this application. Suggests neighbouring points of access are operating safely and no concerns raised to vehicle access and parking arrangements proposed. In order to access this parking provision vehicle crossover*

would need to be formalised across frontage of site. These works must be implemented under licence to specification obtained from WSCC Highways. In order to gain required licence crossover must not exceed 12.8 metre in width, does appear achievable given proposed layout. If LPA minded to grant planning consent following conditions and informative note advised: Conditions: Access, Cycle Parking, Vehicle Parking Informative: Minor Highway Works

Adur & Worthing Councils Environmental Health:

No objections. Please add informative regarding demolition to any permission given. This should advise they will need to contact environmental health for a demolition notice under the Building Act 1984.

Adur & Worthing Councils Environmental Health Contamination Officer:

Please impose full contamination condition

Adur & Worthing Councils Drainage Engineer:

1st Consultation

Site lies in flood zone 1 appears unaffected by surface water flooding and appears to have no history of flooding. However, aware serious surface water flooding affects gardens of properties on western side of Southview Road. Applicant indicated intention to use soakaways/sustainable drainage and public sewer for disposal of surface water. However doubt sufficient room in garden to install soakaway of necessary size, in accordance with building regulations. Therefore ***raise holding objection.*** *Applicant needs to assess if use of soakaways is viable. Proposed location for soakaway will need more than 5m from existing or new structures, and will need to be soakage test undertaken to ascertain if soakaway will function adequately. Insufficient area to adequately site soakaways. Soakage test should be undertaken and soakaway size calculated before application considered further.*

2nd Consultation

Information is ***NOT*** *contained in this submission. My objection* ***stands****. I want an on-site soakage undertaken, test witnessed by an independent engineer, from which soakaway size can be confirmed. I then want to know how much water is to overflow to surface water system, and why. Are you constructing a soakaway which contains all flows or a storage tank which discharges a set amount per second back to the surface water system.*

3rd Consultation

Reference email response dated 19th. Revisited paperwork and details provided are adequate. ***Withdraw my holding objection***

Representations

None

Relevant Planning Policies and Guidance

National Planning Policy Framework Para 14
Adur Local Plan: AG1, AH7, AP4, AP5, AH2, AH5

Planning Assessment

Principle

The existing office use is not safeguarded under development plan policies, so would not be resisted.

The proposal would make a very modest positive contribution toward addressing unmet housing demand and need in the district.

Government instruction for local planning authorities to make efficient use of land remains.

Visual amenity, townscape character and appearance

The existing building is an oddity in the street and has no architectural worth. Its loss is not resisted.

The building proposed would be of a sympathetic scale, bulk, and mass comparable with the predominant building type in the street (two-storey late Victorian). Architectural reference is taken from these existing buildings and successfully expressed in the new buildings.

The spacing between the new building and its neighbouring buildings is not untypical of the rest of the street. It would respect the building line.

The parking treatment at the front is disappointing but no different to what is there at present.

Residential amenity – effect on existing dwellings

It is the neighbours at the rear and to either side who are principally impacted upon by this development (it is physically removed from the remainder).

Neighbours to north (No. 98) and south (No. 94)

No. 98

There is a single window in the side of this building facing the application site, which is non-habitable. The nature of resultant views from the new dwellings onto this neighbour would be oblique, with intrusive overlooking and loss of privacy avoided.

The new building would not protrude substantially forward of the rear of the neighbouring building, and the submitted plans demonstrate compliance with industry recognised light and aspect standards. Adverse overbearing and overshadowing would therefore not occur.

No. 94

This building is currently office but there is a future intent to convert it to residential use.

There is a first floor window in the side of this building that directly overlooks the site. However the applicant has indicated his intent for this to be blocked up. This window also faces north and the main aspect of any future habitable room in this part of the building is likely to be reliant upon its east facing window instead.

All other future habitable rooms have an easterly aspect, so would not experience intrusive overlooking and unacceptable loss of privacy (it would be oblique in nature).

The new building would not protrude substantially forward of the rear of the neighbouring building, and the submitted plans demonstrate compliance with industry recognised light and aspect standards. Adverse overbearing and overshadowing would therefore not occur.

Neighbours at rear

Residential flats exist at the rear of the application site. These are laid out so that their bedroom windows look directly out onto the site.

The distance between these two-storey flats and the new building falls short of the Council's adopted standards. However the rear of the new building is designed with low eaves, with the bulk and mass of the building reduced at the rear offering respite for the flat occupiers. This ensures that whilst overbearing and loss of aspect would occur, neither impact would be of such intolerable severity for the living conditions of future occupiers.

The design of the rear of the new building also ensures no invasive direct-to-direct window relationship would arise between buildings (all upper floor outlook in the rear of the new building would be served by roof lights). Therefore, intrusive loss of privacy would be avoided.

Accordingly, although it is recognised the proposal would not strictly accord with the Council's adopted standard in relation to infill development, it has been assessed that the impacts arising from the proposal onto neighbours would not be adversely harmful to their residential amenities.

Residential amenity – future occupiers

Future occupiers would benefit from a logical layout and room sizes that comply with the Council's adopted standards.

There is a marginal shortfall in garden space, but the garden sizes proposed would still be able to cater for family requirements.

The distance between the flats at the rear and the new building would fall short of the Council's adopted standards. As consequence future occupiers would experience a fair degree of overbearing and their garden would be heavily overlooked with reduced privacy.

However, this is situation future occupiers would knowingly put themselves in (buyer beware). Although readily apparent, the overbearing effect would not be so substantially adverse as to warrant withholding permission.

Drainage and Contamination

The applicant has submitted detail within the application package which addresses the concerns of the Council's drainage engineer – this consists of cell soakaway detail and calculations.

Past industrial use of the site means it is identified as potentially contaminated according to Council records. Although detail of an earlier contamination investigation has been submitted in the application package, the Environmental Health officer has not responded to its content.

Given the potential risk, there is no option but to impose the full contamination condition.

Parking and Accessibility

The Highway Authority has not raised a highway safety concern on the access and parking arrangements.

The Authority believes the suggested parking provision satisfactory as the local highway network has the capacity to accommodate the parking demand not accommodated on site.

The Authority has suggested a cycle storage condition but there is ample space in the rear garden to accommodate this without reliance on a condition.

There is no highway reason to withhold granting permission.

Recommendation

APPROVE

Subject to Conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act

2. The development hereby permitted shall be carried out in accordance with the following approved plans:-

Drawing No. 15027_P01_A titled Survey and Location Plan date valid 05-01-2016
Drawing No. 15027_P02A titled Site & Block Plan date received 15-02-2016
Drawing No. 15027_P03A titled Plans date received 15-02-2016
Drawing No. 15027_P04A titled Elevations date received 15-02-2016
Drawing No. 15027_P05A titled Perspectives date received 15-02-2016

Reason: For the avoidance of doubt and in the interests of proper planning

3. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:-

(1) A preliminary risk assessment which has identified:-
- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local

Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework.

4. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason*:* In the interests of visual amenity and to comply with saved policy AH2 of the Adur District Local Plan.

5. The dwellinghouses hereby permitted shall not be occupied until boundary walls and/or fences have been erected in accordance with the approved plans and they shall thereafter be retained permanently.

Reason: In the interests of amenity and to comply with saved policy AH2 of the Adur District Local Plan.

6. The dwellinghouses hereby permitted shall not be occupied until the parking spaces and access facilities have been provided in accordance with the approved plans. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the dwellinghouses concerned.

Reason*:* In the interests of amenity and highway safety and having regard to the National Planning Policy Framework

7. The bathroom glazing in the rear elevation of the dwellinghouses hereby permitted shall at all times be of obscured glass.

Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.

8. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the dwellinghouses hereby permitted shall not be extended or any incidental building over 5 cubic metres in volume erected within its curtilage.

Reason: In the interests of amenity and the environment having regard to saved policy AH2 of the Adur District Local Plan.

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in the rear and side elevations of the dwellinghouses hereby permitted.

   Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.

Informatives

i) *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.*

ii) *The applicant is advised to contact WSCC Highways (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.*

iii) *The applicant is advised to contact environmental health for a demolition notice under the Building Act 1984*

iv) *A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to 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? N

Case Officer signed: Matthew Porter Date: 01-03-2016

Authorised and signed by: Peter Barnett Date: 2 March 2016