Mrs D Appleton
Mr P Jenkin

WB/10/0094/OUT
HEE
RJS

Location : 17 Heene Road

Proposal: Outline application for the demolition of existing garage building and erection of one No. 3 Bedroom dwelling.

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Not to Scale

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1. THE PROPOSAL AND THE SITE

This is an outline application which seeks planning permission for the construction of a two storey 3-bedroom dwelling, with access from Heene Road, including the demolition of an existing garage block at the rear of No. 17 Heene Road. Approval is being sought for layout, scale, and access. Appearance and landscaping are reserved matters for future consideration.

The site relates to the rear amenity area of No. 17 Heene Road which comprises of a 3 storey Victorian semi-detached property (plus lower ground floor), currently in use as four flats and located on the west side of Heene Road. No. 17 has a 23 metre deep amenity area to the rear of the building containing a block of four garages. The remaining area, although not hard surfaced, is used as an informal parking area.

This is a Local Interest Building and the site is within the Ivy Place Conservation Area.

The locality is predominantly residential with flats to the north and south fronting Heene Road and other single dwelling houses to the immediate north and west of the site fronting Rowlands Road and Ivy Place.

The northern boundary of the site is shared with Nos. 129 and 129a Rowlands Road. No. 129 is in use as 7 flats. No. 129a is in use as a single dwelling house and has a blank wall backing onto the application site. To the west of Nos. 129a is No. 131 Rowlands Road which is a single dwelling. The rear wall of the garage block within the site forms the boundary with No. 131. There are also garages to the rear of No. 131 and further south (to the west of the site) are Chios Cottages which have 7 metre deep rear gardens.

The adjacent property, No. 15 Heene Road, is in use as seven flats and has a 23 metre rear garden which comprises of lawn and planted areas and several trees to the western and southern boundaries. This garden is separated from the application site by a brick wall, which forms the southern boundary of the application site, and has a timber gate providing pedestrian access from No. 17 to the rear of No. 15. The properties are in the same ownership.

The proposed dwelling would be one and a half storeys high and sited adjacent to the northern boundary of the site, set approximately 1 metre from the rear wall of No. 129a Rowlands Road, 2.6 metres from the western boundary, 8.9 metres from the rear of No. 17 and 4.7 metres from the southern boundary. The building would have a footprint of approximately 10 metres by 6 metres, measuring 4.2 metres to the eaves and 6.2 metres to the ridge. The applicant has included elevational drawings, for illustration only, but these show the building designed with a hipped roof and painted timber windows set partly within the roof space to the south and east facing elevations, each with a pitched roof. Overall it is designed to emulate a converted coach house when viewed from the east, faced in brickwork with brick arches over the openings and a slate roof with clay ridge and hip tiles. The accommodation would be laid out to provide a living room, kitchen-diner and wc at ground floor level and three bedrooms and two bathrooms at first floor level.

The main outlook for the building would be to the south onto an enclosed amenity area, although there is a secondary ground floor window to the west elevation and a first floor window in the east elevation.

The existing access to the north of No. 17 Heene Road would be retained as vehicular access to serve 2 car parking spaces for the proposed dwelling. Landscaping of the site is proposed to be a reserved matter for future consideration.

## 2. PLANNING HISTORY

The current application follows a previous outline proposal; (WB/09/0106/OUT) within the rear garden areas of Nos. 15-17 Heene Road for the construction of four two-storey dwellings with access onto Heene Road. It was refused by the Development Control Committee in April 2009 for the following reason:-

1. *Having regard to the constrained nature of the site and its surroundings, by virtue of their unsympathetic siting, scale, bulk and design, the proposed dwellings would represent a cramped and overbearing overdevelopment of the site which would be detrimental to the character and appearance of the Conservation Area, the amenities of adjoining occupiers in terms of loss of light, outlook and privacy, and would provide a poor living environment for future occupiers. In addition, the application has failed to demonstrate that the absence of any on-site parking and loss of existing parking facilities would not result in undue pressure on the surrounding road network and assigned amenity areas within the site from parking demand from the development. This would be to the detriment of local residents and future occupiers amenity and the character and appearance of the Conservation Area, compounding concerns in relation to the overdevelopment of the site. As such the proposal is considered contrary to Saved Policies BE1, TR9 and H18 of the Worthing Local Plan 2003, Saved Policies CH1, CH4, CH5 DEV1 and DEV5 of the West Sussex Structure Plan 2001-2016, PPS1: Delivering Sustainable Development, PPS3: Housing, and PPG13: Transport.*

## 3. APPLICANT'S DESIGN AND ACCESS STATEMENT

The applicant has submitted the following statement in support of his application:-

*"Assessment of Physical Context*
*The site the subject of this application lies on the western side of Heene Road, to the south of Rowlands Road. It comprises an area of approximately 0.04 hectares. The existing property, No. 17, comprises one of a pair of semi detached two storey Victorian villas with basement accommodation and rooms within the roof. The property is subdivided into 4 self contained flats. To the rear of the existing property is a large mono pitched garage building which extends across the whole width of the site. In front of the garage building lies an unsurfaced area used for informal parking by the occupiers of*

*the existing flats. Vehicular access is obtained via an existing access along the northern boundary of the site.*

*No. 17 is separated from the adjoining property, No. 15 by a brick wall with pedestrian access through a timber gate. No. 15 is in the ownership of the applicant and is subdivided into 7 flats. Its rear amenity space comprises a garden area principally laid to lawn. Both Nos. 15 and 17 Heene Road are identified as local interest buildings.*

*To the north of the application site lies Nos. 129 and 129a Rowlands Road. No. 129 comprises a large four storey Victorian villa subdivided into flats, the southern boundary of which forms the boundary of the application site adjacent to the vehicular access. No. 129a appears to be in use as a single dwelling house and has a blank wall which forms the common boundary adjacent to the rear parking area. No. 131 Rowlands Road, a detached single dwelling, is located off the north west corner of the site and its rear garden lies immediately to the west of the application site. To the west of No. 131 Rowlands Road lies Ivy Place, an unmade road, which serves a number of small mews cottages. The application site and its environs are located within the Ivy Place Conservation Area.*

*Planning Context*
*PPS1: Delivering Sustainable Development, PPS3: Housing and PPG13: Transport are all relevant to the consideration of this application as they contain the Government's overarching guidance and policies for meeting housing objectives whilst achieving sustainability. The principal objective of the Government's policy is to provide sustainable development whilst making effective and efficient use of land, especially previously developed land within the urban areas. The application proposal accords with this established Government guidance in that it seeks to provide housing on previously* developed land, in a sustainable location.

*In respect of using the site efficiently and effectively, the proposal provides for a new dwelling on a site which is sustainably located being close to the town centre, where there is a full range of services and alternative means of transport other than the private car. The site also lies opposite shops and services in Heene Road and Rowlands Road which is identified as a District and Neighbourhood shopping area in the Local Plan.*

*With regard to the issue of on-site parking, PPG13 requires Local Authorities to revise parking standards to allow for significantly lower levels of off street provision, particularly for development in locations such as town centre, where services are readily accessible by walking, cycling and public transport. In this case, the site is extremely well related to bus stops and local services and facilities within Worthing Town Centre and the local shopping area. The development has been designed with two off street car parking spaces for the new dwelling. The proposal will result in the displacement of the existing parking area available to the flats (the flats do not currently have use of the garages) and this could be relocated to the rear of No. 17. However, given the advice in PPG13, the availability of on street spaces which is*

*demonstrated in the attached parking appraisal and the general low level of car ownership by occupiers, it is considered that there is no overriding need to provide on site parking for the existing flats in this location. Further, the LPA has granted planning permission for a number of properties in the locality to be converted to flats without any parking, most notably the adjoining property no. 15.*

*It is therefore submitted that this proposal has accordance with the objectives of PPS1, PPS3 and PPG13.*

*The Regional Spatial Strategy (RSS) for the South East of England (known as the South East Plan 2009) sets out the long term spatial planning framework for the region over the period 2006 to 2026. Policy H5 encourages the delivery of new housing of high quality design and higher densities to make good use of available land and encourage sustainable development.*

*Policy T4 deals with parking provision and states that the guidance set out in PPS3 on residential parking should be applied. It is submitted that, as previously stated, this proposal is compliant with these broad principles of providing for housing in suitable location providing a level of parking which reflects its accessibility to alternative means of transport.*

*The Worthing Borough Local Plan (2003) identified the site as falling within the built up area of Worthing, where there is a presumption in favour of residential development. In this respect, policy BE1 allows for new development provided that, inter alia, the design, siting, form and character of the proposed development, is compatible within the surroundings or enhances the appearance of the locality. It further requires the relationship between built forms and the open spaces surrounding them, to be in keeping with the character and appearance of the locality.*

*The site falls within the Conservation Area and Policy BE21 requires new development those areas to preserve or enhance the character of appearance of the area. It goes on to list a number of criteria with which any new development should conform. This includes any new development being of sympathetic scale and character, the use of appropriate materials, appropriate landscaping and the proposal not resulting in the loss or harm to any existing features that make and important contribution to the character or appearance of the area.*

*It is submitted that this proposal accords with the requirement of BE1 and BE21 in that it will result in the replacement of the unsightly garage building within the Conservation Area with a building which will sit comfortably on the site without detriment to the amenities of adjoining occupiers or the existing amenities of the locality. It will make use of brownfield land efficiently and effectively with a form of development which has the appearance of being subservient to the existing building and of a form in keeping with the smaller mews cottages in the locality.*

*Policy TR9 deals with on site parking provision and states that a lower provision than required by currently adopted parking standard for development proposals in the defined town centre and other centres, may be permitted as appropriate. The acceptability of any reduced on site parking provision will take account of any environmental and highway safety considerations, together with the following factors, which will be commented upon in turn.*

*(i)* *The availability, type and proximity of public parking.*
*It is not considered that the availability of public parking in the locality is relevant to this application.*

*(ii)* *The availability and proximity of alternative means of transport.*
*The application site lies within walking distance of the central shopping area and directly opposite a district and neighbourhood shopping centre as defined in the Local Plan. For all other trips, there are bus services along Heene Road and Rowlands Road and the site is within cycling distance of West Worthing Station.*

*(iii)* *Potential highway safety problems.*
*It is not considered there are any potential highway safety problems arising from this proposal, which would result in a lesser use of the existing access.*

*(iv)* *Potential harm arising from the parking demand being accommodated elsewhere.*
*The site falls just within the boundary of the controlled parking zone. Roads to the west are outside the zone and therefore unrestricted. To the north, parking is unrestricted except between the hours of 10.00-11.00 and 14.00-15.00 when parking can only take place by resident permit holders. To the south and east parking is restricted to resident permit holders, voucher parking or one hour limit. All parking is unrestricted after 18.00. It is submitted that there is capacity within the vicinity for on street parking for the existing flats on the site. We have undertaken a number of evening surveys which demonstrate the availability of on street spaces in the locality, the results of which are included in the attached parking appraisal. This demonstrates that there is currently limited use of the on site parking area, and, for those displaced spaces, there are a number of options for on street parking for which there is clear availability.*

*(v)* *The extent and nature of on street parking restrictions in the vicinity.*
*This is dealt with in (iv) above.*

*(vi)* *The type and scale of development proposed.*
*The proposed development will accommodate its own parking; it is the relocation of the existing parking, which is the main consideration. There are many properties in the locality which have been subdivided into flats and do not have any off street parking spaces. It is not considered that an additional four flats using on street parking will materially affect the parking situation the area.*

*(vii)* *The relationship of the proposal with, and proximity to nearby land uses. As referred to above, a limited number of spaces will be displaced by this proposal but given its sustainable location occupiers*

*are not reliant on a private car to access the majority of facilities and services.*

*Evaluation*

*The siting and design of this application proposal has been derived from the need to take account of the character and appearance of the conservation area in which it is sited and the amenities of the existing flats on the site and adjoining residential properties. According to the Ivy Place Conservation Area appraisal, there are three main types of domestic architecture in this Conservation Area. Of particular relevance to this application site, are the detached and semi detached Stucco villas from the early Victorian period on Heene Road and the later Victorian cottages around Ivy Place and Elsie Road. The appraisal describes the construction of the most prominent and grand buildings on Heene Road, with the later Victorian cottages to the rear in Ivy Place. The application proposal therefore seeks to reflect this existing character by designing the new dwelling as a smaller cottage/coach house behind the frontage of the existing villas of the Conservation Area which will not compete with or otherwise detract from the street scene or the locality generally.*

*Amount of Development*

*The application proposes the erection of 1 no. 3 bed cottage adjacent to the northern boundary of the site, to the western end of the existing rear garden to No. 17. The building would measure approximately 10 metres x 5.9 metres. Whilst the application is in outline form only, the submitted layout demonstrates how the property can accommodate satisfactory accommodation including three bedrooms and tow bathrooms.*

*Layout*

*The proposal seeks to make efficient use of this site within the sustainable location. The layout has been derived from the need to respect the amenities of the existing flats on the site and those of the adjoining residential properties. In this respect, the property is sited adjacent to the blank wall of No. 129a Rowlands Road, which forms the common boundary on the northern side. It sits opposite the vehicular access to the site, overlapping the rear of No. 17, only where there is an external staircase, thereby causing no adverse effect on any habitable rooms of that property. There would be a distance of 2.6 metres from the western boundary and this, combines with the low eaves level of only 4.2 metres, would result in no loss of amenity to the property adjoining that boundary, No. 131 Rowlands Road. There would in fact be an enhancement to the outlook of that property by the removal of the large mono-pitch garage structure, situated on its boundary across the width of the application site.*

*Two parking spaces are provided for the proposed dwelling, which would be to the rear of No. 17. As this area is currently used informally for the parking of vehicles, there would not be any harm to the occupiers of the flats from the continuation of this use. An amenity area would be provided for the cottage to its southern side. Whilst there is a degree of overlooking of this space by the existing flats at No. 17, it should be acknowledged that, in this town centre*

*location, there is always going to be a degree of inter-visibility between properties and gardens, and as such, is not considered to be unacceptable in this location.*

*The layout also allows for the provision of a bin store on the northern boundary for use by the proposed cottage and the existing flats at No. 17. A cycle store would also be provided in the adjoining garden of No. 15 to serve all flats within Nos. 15 and 17 and an access would be maintained between the two properties. The existing garden would be retained to the rear of No. 15, which the Local Planning Authority had previously considered important to maintain the character of the area and could be used by the occupiers of No. 17 who currently do not have access to any outside amenity space.*

*Scale*
*The dwelling has been designed to minimise its overall height, reflective of its character as a subservient cottage/coach house and to prevent any overbearing effect on the occupiers of the adjoining properties. The dwelling would have an overall ridge height of 6.2 metres and 4.2 metres to eaves level.*

*Landscaping*
*Landscaping is a reserved matter, however the layout of the site demonstrates a hard surface area for the parking and turning of vehicles along with an amenity area for the cottage which would be soft landscaped. It is considered that the demolition of the existing unsightly garage block and its replacement with small cottage with incidental parking and amenity area would enhance the existing character of the conservation area.*

*Appearance*
*Appearance is a reserved matter, however, the drawing submitted with this application indicates how the dwelling could be designed to appear as a coach house/mews cottage, which would not be out of context within the curtilage of the Victorian villa. The low eaves level and first floor windows partly within the roof slope, would be reflective of other properties elsewhere in the Conservation Area.*

*Access*
*The existing vehicular access will be used to serve the new cottage and the two spaces allocation for its use. The proposal will result in reduction in the amount of traffic using that access.*

*The issue of parking has been dealt with elsewhere in this report and demonstrates that there would not be any highway or amenity issues arising from the loss of the existing informal parking area. As mentioned, cycle parking would be provided for the existing flats at Nos. 15 and 17 by a new cycle store within the garden to No. 15 as shown on the layout plan.*

*It is confirmed that the development will be designed to accord with the Disability Discrimination Act."*

The applicant has also submitted a parking survey report to support the application which shows the availability of parking on two evenings in January 2010.

4. CONSULTATIONS

The **Executive Head of Health, Housing and Community Safety** has recommended a precautionary ground contamination condition and informative.

The views of the **Highway Authority** are awaited.

5. REPRESENTATIONS

Six letters of objection have been received from local residents objecting to the proposal on the following grounds:-

i) Overdevelopment of the site.
ii) Overlooking from dwelling, loss of privacy/security caused by removing boundary walls.
iii) Parking.
iv) Close proximity of new dwelling to neighbours.
v) Loss of light.
vi) Quality of life of residents will be affected.
vii) High water table, problems with foundations and impact on neighbours' foundations, impact of building works on adjacent older properties.
viii) Removal of garages and asbestos roofs would raise health and safety issues.
ix) Restricted access for emergency services.
x) Out of keeping with the character of the area, local interest buildings affected.
xi) Loss of open space.
xii) Noise, disruption and dust from building works.
xiii) Maintenance problems.
xiv) The existing garages should be saved.

6. PLANNING ASSESSMENT

The main issues raised by this proposal are: the principle of residential development; the impact on the amenity of neighbours and future occupiers, design, impact on the Local Interest Buildings and character of the Conservation Area, parking and access. As such the application should be considered against Saved Local Plan Policies BE1, H18 and TR9, South East Plan Policies CC6, H1, H5, BE1, BE2, BE6 and T4. Government policy in PPS1: Delivering Sustainable Development, PPS3: Housing, and PPG13: Transport and allied design and other guidance is also particularly relevant.

The principle of a more intensive residential use

The general principle of more intensive residential use of brownfield land in the existing urban area is supported in PPS3, subject to acceptable environmental and other impacts. The proposal would likewise contribute to the achievement of the housing provision target. However, the acceptability of the specific proposal depends upon the particular circumstances which are considered below.

Impact on the amenity of future occupiers and of occupiers of neighbouring residential properties

In terms of floorspace alone, it could be considered that the proposed scheme could provide a good standard of accommodation with adequate light to all habitable rooms. However, it is the close-knit nature of the site, inadequacy of space surrounding the building and relationship with neighbouring properties which remains of primary concern, resulting in a poor living environment for future occupiers and the occupiers of neighbouring properties. The use of this rear amenity space for the scale of dwelling proposed in such proximity to neighbouring occupiers would detract from the residential amenities of the neighbours.

It is recognised that the current scheme has dealt with some of the amenity issues that were highlighted as part of the previously refused scheme by deleting the southern building from the proposal and reducing the scheme to one dwelling. This has had the benefit of improving the general relationship of the development with No. 15 to the south of the site and with Chios Cottages.

In relation to surrounding occupiers, the main impact would be to Nos. 129-131 Rowlands Road, No. 15 Heene Road and Nos. 1 and 2 Chios Cottages. The impact on No. 129a is limited due to the existing relationship with its blank wall facing towards the application site. Although the proposed dwelling would extend beyond the west elevation of No. 129a where there are ground and first floor windows, the impact arising from this would be limited and would not cause any significant harm.

However, the dwelling would still appear fairly cramped in relation to Nos. 129a and 131 and although it has been set in 2.6 metres from the western boundary and the illustrative elevations show the dwelling designed with a hipped roof and no windows at first floor level in the west elevation, it would increase the sense of enclosure experienced by the occupiers of No. 131 to the west. Furthermore, there would also be a close relationship and inter-visibility between the proposed dwelling and No. 129. There is a first floor window proposed in the east elevation which would allow views into the rear of No. 129 and with a separation of only 6.6 metres the proposed dwelling would be overbearing and is likely to result in loss of privacy.

Chios Cottages to the west have relatively short rear gardens (approximately 7 metres in length) with outlook from the rear towards the east. The proposed dwelling has been designed with its main outlook to the south with a distance

of only 4.7 metres to the southern boundary of the site and less to the rear gardens of Chios Cottages to the south west, resulting in overlooking of private gardens.

In terms of the relationship to the existing flats at No. 17, the building would be sited only 8.9 metres from the rear wall and, although there are no lower or upper ground floor windows in the rear projection, there are in the original rear wall and the degree of separation is poor. The applicant proposes the use of the rear garden area of No. 15 for communal use with No. 17 which would provide some valuable amenity space but this does not override concerns about the impact of the proposed dwelling upon the amenities of these residents. It should be recognised, however, that the level of activity associated with the current use of the existing parking area and four garages would generally be greater than the activity associated with a single dwelling and so the potential impact in terms of noise and disturbance from vehicular movements would be reduced.

Design and impact on the character of the surrounding area

It is recognised that there would be an improvement to the appearance of the site when viewed from Heene Road compared with the existing parking area and garages that are readily visible from the street. However, views of the development from Rowlands Road as seen between Nos. 129a and 131 and from Ivy Place would highlight the cramped nature of the development. Although to some extent, the layout of the proposal would reflect the close-knit nature of some of the surroundings, the size of the building appears excessively large in relation to the site and is positioned close to dwellings in Rowlands Road. In combination with the inadequacy of the space around the building, the proposal would appear cramped on this constrained site and result in a poor relationship with surrounding properties.

Parking and Access

The application site is in a sustainable location, close to local facilities and within walking distance of public transport. In terms of parking standards the maximum standard for the proposed dwelling would be 2 car parking spaces. Four garages and several informal car parking spaces currently serving the existing flats at No. 17 would be removed. Two car parking spaces are proposed to serve the new dwelling.

In refusing the previous application for four dwellings with no parking provision, Members considered that the application had failed to demonstrate that the proposal would not result in undue pressure on the surrounding road network and assigned amenity areas within the site from parking demand. The applicant has attempted to address this issue with the provision of two car parking spaces for the proposed dwelling and the submission of a parking survey of the surrounding streets showing available on street parking on two separate weekday evenings in an attempt to address the concerns over the displacement of parking from the existing flats into the surrounding streets.

The site is in a location where residents need not be reliant on the use of a private car, within walking distance of the town centre and easy access to bus services. The parking provision proposed is in accordance with maximum standards and cycle parking has been indicated within the rear garden area of No. 15, which is under the same ownership as the application site, to serve the existing flats and proposed development. Having regard to the sustainable nature of the site and the weight of Government guidance within PPG13, in the absence of any comments from the Highway Authority, parking and access is considered acceptable.

## 7. CONCLUSION

Although the principle of residential development may be acceptable, due to the constrained nature of the site, the inadequacy of space around the dwelling and the poor inter-relationship with neighbouring properties, added to the scale of the building, it is considered that the proposal would result in an overdevelopment of the site and would provide an unacceptable standard of accommodation to the detriment of the living conditions of future and neighbouring occupiers.

## 8. RECOMMENDATION

**Refuse** on the grounds that:-

1. Having regard to the constrained nature of the site and its surroundings, by virtue of its unsympathetic siting, scale, bulk and design, the proposed dwelling would represent a cramped and overbearing overdevelopment of the site which would be detrimental to the character and appearance of the Conservation Area, the amenities of adjoining occupiers and would provide a poor living environment for future occupiers. As such the proposal is considered contrary to Saved Policies BE1 and H18 of the Worthing Local Plan 2003, Policies CC6, H5, BE1, BE2, and BE6 of the South East Plan 2009, PPS1: Delivering Sustainable Development, and PPS3: Housing.

## 9. BACKGROUND PAPERS

Observations of the Executive Head of Health, Housing and Community Safety
Letters of Representation from Members of the Public

30th March 2010