expiry 30/4/07

Development Control – Delegated Officer Report

Application Number: ADC/0130/07 **Recommendation – Permit Application**

Site: **9 Kings Road Lancing West Sussex BN15 8EB**

Proposal: **Demolition of existing bungalow and erection of two dwellings**

The Application

The site is located within the built up area of Lancing at the southern end of Kings Road a residential street which comprises of a mixture of properties, detached, semi detached, bungalows and houses of varying designs and ages.

The site itself comprises of a single storey detached bungalow with a rear garden area. There is a vehicular access from Kings Road as existing on the northern boundary of the site. Full planning permission is sought to demolish the existing bungalow and replace it with two essentially detached properties which are linked at ground floor level by the single integral garages. The proposed three bedroom properties are to be two storeys in height with pitched roofs. The buildings are handed in design with rear gardens of equal size. In addition to the single garage which serves each property a parking space is proposed for both properties in front of the garage which is accessed from Kings Road via a widened, shared vehicular cross over. A front lawn area is also proposed to the front of each property adjacent to the proposed parking space.

Consultations and Representations

Director of Services: - Environmental Health Officer has no objection a demolition letter has been sent to the applicant.

Country Transport Services: - No objection – subject to conditions, a TAD contribution of £1,463 would be required.

Third Parties: - 3 letters have been submitted with concern expressed over the following issues: -

- It has been advised that there is to be an entrance to the property from the rear through the garage compound which is privately owned. There is no right of way here.
- Concern over the asbestos shed/garage to the rear of the site and the asbestos on the site, health and safety.

- Concern over the use of the shed/garage to the rear of the site.

- Loss of privacy, overlooking

- The boundary wall should be reinstated.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, NE1, NE2, NE3, NE13, ERA1, DEV1, DEV4
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AG3, AP3, AT12, AH1, AH2, AH11 and Appendix II '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): R1, H1, H3, T3, T4, C12, ENV3, ENV4, ENV10
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

Policies

Structure and Local Plan policies encourage redevelopment and infilling to help meet the demand for dwelling houses for families, couples, single persons and the elderly, as well as affordable housing, and to make best use of urban land. This is encompassed in Structure Plan Policy LOC1 but is on the proviso that 'the impact on the character of the area and the environment, resources and assets of the County is acceptable' and also in allocating sites in Local Plans that account should be taken of the need to protect and enhance the qualities and characteristics of settlements which local communities value.'

Policy DEV1, entitled high quality development, states that development should not be permitted unless the construction, layout, scale, appearance and landscaping are of high quality taking into account the need to amongst other things, integrate with and where possible enhance adjoining land uses and minimise conflicts between land uses and activities; have regard to context including site characteristics, townscape/streetscape, views into and out of the site and building styles/materials; give high priority to pedestrians and reduce the dominance of cars; create a high quality socially-inclusive adaptable environment; protect and enhance biodiversity; ensure energy efficiency and meet the needs of service providers.

Policy DEV4 states amongst other things that development should not be permitted unless the travel needs it generates are met; it achieves safe and convenient access by a choice of means of travel; it encourages and enables an increase in walking and cycling; and the number and impact of motorised journeys is minimised. 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 to encourage walking cycling and the use of passenger transport.'

The relevant Local Plan Policy AH2 related to housing development by way of infilling and redevelopment, expects development to be designed so that its appearance, character and scale creates a pleasant place to live, is in keeping with and enhances the existing local environment with particular attention to the architectural form, height, materials, density and layout; respect for the natural features of the site, including trees; no unneighbourly effect on existing dwellings by loss of privacy, light, outlook or open amenity space; adequate access and parking arrangements (as required by AT12) and accordance with adopted standards, in this case DC Standard No. 2 'Space Around New Dwellings and Flats.'

Residential Amenity

Consideration must be given to the residential amenities of the occupiers of the surrounding properties and also the future occupiers of the proposed development.

The main properties to be affected by the proposal in this case are No. 11 Kings Road to the north and No. 7 Kings Road to the south. In the southern elevation of No. 11 there are windows which serve a hallway, landing and bathroom/toilet no windows as existing serve habitable rooms. This property has been extended at single storey to the rear to provide a utility room nearest to the boundary and a dining/living space further to the north of the site. The footprint of the proposed building will come further to the rear (west) of the site than the existing bungalow and will increase in height with a hipped roof to a maximum of 6.9 metres. However the proposed building will be at a distance of 3.2 metres from the neighbouring property and will come 1.8 metres further to the rear. It is therefore considered that the impact on this property would not be such to warrant a refusal in this case due to these distances and the fact that the ground floor window nearest to the boundary is serving a utility room.

There will also be no significant adverse impact on No. 7 Kings Road to the south. As existing there are windows on the side elevation of this property however the window to be most effected serves a hall and other windows on the side elevation are already receive limited light due to the existing bungalow which is currently 0.3 metres from the boundary. The proposed building is to be set in from the boundary by 1 metre.

To the rear of the site are properties in Ingleside Crescent which are at a distance of 23 metres from the rear of the new dwellings, therefore complying with the Council's adopted standards. The buildings will be higher than the existing bungalow when viewed from the properties to the rear however due to the distance there will be no loss of outlook or loss of privacy which would warrant a refusal in this case.

With regards to the amenities of the future occupiers of the dwellings it is considered that the accommodation is of an acceptable standard with adequate amenity space and parking provided.

It is therefore considered that the proposal complies with parts (c) and (d) of Policy AH2 of the Adur District Local Plan.

Access and Parking

As mentioned above two parking spaces are provided for each dwelling. This is considered to be acceptable, the site is located within close proximity to Lancing town centre and the railway station, cycle storage can also be provided in the garages. It is considered that although there is no space on site for turning this is acceptable due to the good visibility along Kings Road. The Highways Authority has no objection to the proposal subject to relevant conditions relating to visibility, the reduced width of the shared access and the existing access reinstated to full height kerbing and footway. The proposal therefore complies with Policy AT12 of the Adur District Local Plan.

Impact on Character and Appearance of the Area and Street Scene

It is considered that the design, scale and appearance of the proposed dwellings will be acceptable in this case. As mentioned the street scene is varied with properties of various sizes, heights, age and style. Adjacent to the north is a detached house and to the south is a semi detached bungalow. It is therefore considered that the proposed dwellings will be in keeping in design, size and scale with the street scene and surrounding area and therefore comply with part (a) of Policy AH2 of the Adur District Local Plan.

Other Issues

Occupiers/owners of properties to the rear of the site have expressed concern over the use of land directly to the rear boundary of the site and also with regards to any access and/or right of way which may be used to gain access to the site from the private garage compound to the rear. This area of land is not included within the application site and is currently occupied by a garage/shed building in a poor state of repair. No proposals have been put forward for this land and it is therefore not for consideration in this case. With regards to legal issues such as rights of way these are not planning considerations however it should be noted that no access is proposed from the rear of the site. Vehicular and pedestrian access is proposed from Kings Road only.

Recommendation

APPROVE subject to the completion of a 106 legal agreement for the required TAD contributions and for reason that :- 2PPi – Housing Development

1. C1Ci (Time limit)
2. C12Ai (materials)
3. C8Bi (parking and access)
4. C9Ai (crossing)
5. C7Ci (Details of walls and fencing) Policy AH2
6. C11A3 (Hard and soft landscaping)
7. C14H -Policy AH2, DEV1 (Demolition)
8. C18B (PD rights)
9. C8Fi (retain garages)
10. C9F (Visibility)
11. C9Kii (existing access)
12. The parking areas shall not be divided by any barrier greater than 600 mm in height at any time. Reason: In the interests of highway safety and to comply with Policy AT12 of the Adur District Local Plan.

Case Officer.....C Barker.....Date..27/4/07..

Head of Planning and Community.....Peter Davies..Date..30.4.07..

Chair of Planning Committee.....A. J. Mills.....Date...1/05/07.....

27/4

SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and would help 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 and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AT12) and the adopted West Sussex Structure Plan 2001-16 (LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5).

Conditions

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

02. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

03. The building shall not be occupied until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. 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 premises concerned.

Reason: *To ensure adequate provision for parking clear of the highway and to comply with policy AT12 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.*

PTO

04. No use of the vehicular access shall take place until a satisfactory kerb and pavement crossing between the boundary of the site and the adjoining carriageway has been constructed. The requisite specification can be obtained from the Area Highway Engineer, WSCC Southern Area Office, Clapham Common, Clapham, Worthing, West Sussex BN13 3UR. There shall be no drainage of surface water from the property onto the highway.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

05. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied until such walls and/or fences have been erected.

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

06. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and the environment and to comply with policy AB26-27 of the Adur District Local Plan and B2 of the West Sussex Structure.*

07. No development shall be carried out until all buildings and structures existing on the application site at the date of this permission (except boundary walls or fences) have been demolished, the debris removed from the site and the site cleared.

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

08. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or any incidental building (exceeding 10 cubic metres in volume) erected within its curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: *In the interests of amenity and the environment and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

PTO

09. The garage building shall be used only as a private domestic garage for parking vehicles incidental to the use of the property as a dwelling and for no other purpose.

Reason: *In the interests of residential amenity and to ensure provision of adequate off-street parking space and to comply with policy AH7 of the Adur District Local Plan and DEV5 of the West Sussex Structure Plan.*

10. The access shall not exceed 3 metres in width and shall be laid out to provide visibility splays on each side of its junction with the existing public highway. These splays shall be 2 metres by 2 metres on each side of the access based on the existing highway boundary. No other work shall be carried out on the site until the above mentioned splay areas have been provided and thereafter they shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

11. The building hereby permitted shall not be occupied until the existing access to the site (other than hereby approved) has been stopped up permanently and obliterated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

12. The parking areas shall not be divided by any barrier greater than 600mm in height at any time.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan.*