Michael Adams & Sally Tarr
1 Boxgrove Close, Lancing, West Sussex. BN15 0QG
[redacted]

ADUR & WORTHING
26 MAR 2019
PLANNING SERVICES

Planning Services
Development Management,
Adur & Worthing Councils,
Portland House,
44 Richmond Road,
Worthing,
West Sussex,
BN11 1HS.

25th March 2019

For the attention of: Marie O'Keeffe, Case Officer

Reference: Planning Application No: AWDM/0013/19

36 Norbury Drive Lancing BN15 0QG

Remodelling of existing house involving removal of first floor to West elevation extension to create first floor balcony with new doors. Extension to rear of garage and alterations to fenestration. Erection of a new two storey flat roofed dwelling with lower ground and ground floors only (excavation involved); access from Ring Road

Letter of Further Objection

Dear Sirs

In addition to our letter of Objection dated 17th March 2019 and regarding the above referenced planning application we wish to further object to this development and ask that you also consider the following when determining this application;

In our initial objection we have cited Overdevelopment as one of the points that we believe this application should be scrutinised on and believe that the current design would not meet the requirements of proposing a design and size of dwelling that is appropriate on such a small plot.

With this in mind we have been made aware of and now wish to make reference to the **"Adur District Council Development Management Standards"** documents and in particular with regard to the **"Development Management Standard No.1 Space Around New Dwellings And Flats"**

From reading this, the Standard appears to us to require that new proposals meet certain criteria to be compliant and believe the above referenced proposed development falls short of meeting these criteria as follows;

Section 2 of the Standard "Relationship between dwellings/flats" would appear particularly relevant and paragraph 2.1 says that;

> *"In infill and redevelopment schemes new buildings should respect the existing character and appearance of an area and ensure the retention of adequate privacy for and daylight to existing dwellings/flats."*

Also it would appear that the proposal is in conflict with paragraph 2.3 which says that ;

> *"Residential developments, in order to prevent over-developed layouts, should not have an excessive overall site coverage of buildings and hard surfaced areas."*

Paragraphs 2.4 and 2.5 also appear to have great relevance and in particular in relation to the existing property at no. 36 Norbury Drive as follows;

> *"2.4 The space required between buildings is affected by the location of principal windows and the need to maintain privacy between facing windows and allow light to enter such windows. A distance of 22m is the minimum required between facing principal windows in order to retain sufficient privacy. For developments over 2 storeys in height this distance will need to be increased."*

> *"2.5 Where a principal window faces a solid obstruction a distance of 11m is required between the window and a single-storey structure or 14m between a principal window and a two storey structure, in order to allow adequate light to enter the windows. In the case of flats, developments should be avoided which include flats with only north-facing windows since these would not benefit from any direct sunlight."*

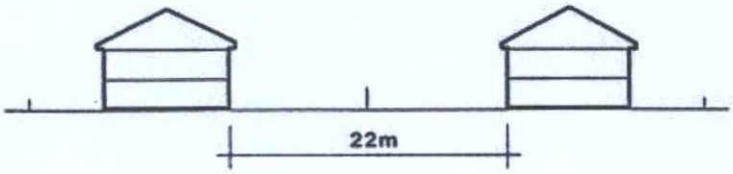
It would appear from the dimensions given on the "Location & Block Plan" submitted as part of the planning application and attached here for ease of reference, that the current design falls well short of meeting the minimum distances stated above, with the distance between the two properties at best being shown as 7.43m and at the closest point only 6.3m.

The proposed design also appears to be in conflict with the requirements of Paragraphs 2.9 & 2.10 which say that;

> *2.9 The acceptable distance between the rears of buildings is governed mainly by the distance required to give adequate privacy between facing principal windows, which is 22m in the case of 2 storey developments. However, houses or bungalows should preferably be designed so as to allow for the possibility of future extensions constructed under the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or as amended) as "permitted development".*

Rear Boundaries

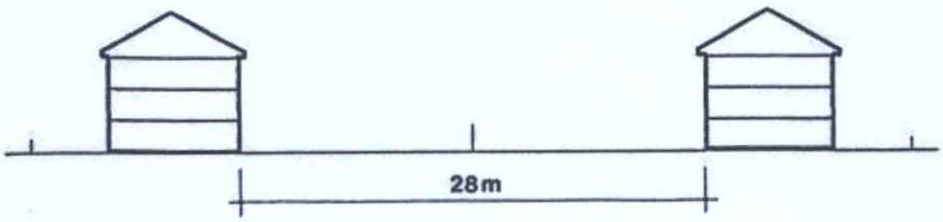
The minimum distance between the rear of one or two-storey dwellings is 22m.



"2.10 A distance of 22m is considered sufficient between 2 storey blocks of flats (which have no "permitted development" rights) but in the case of three-storey houses or flats a distance of 28m would be required. Where a one or two-storey building backs onto a three-storey building a space of 28m would also be required. Higher buildings would need to be considered on their merits."

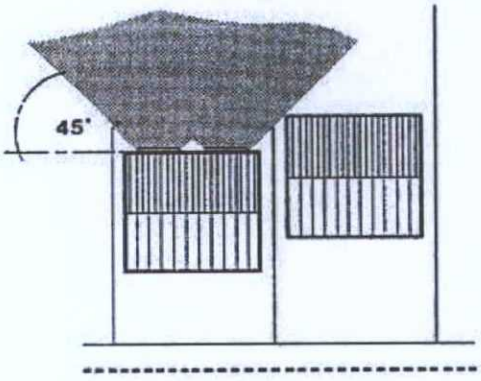
Rear Boundaries

The minimum distance between the rear of three-storey houses or flats is 28m.



Paragraph 2.12 says that;

"Finally, the position of a building on a plot should also take into consideration the position of buildings on adjoining plots wither side. Dwellings should not project significantly beyond the rear of adjoining dwellings particularly if they are close to side boundaries since this would be overbearing and lead to loss of light and outlook. A general "rule of thumb" guide is that there should be no development beyond a 45 degree line, measured from the nearest rear window of a habitable room in a neighbouring dwelling."



Adjoining Buildings

Dwellings should not project significantly beyond the rear of adjoining dwellings.

If we were to apply the 45 degree "rule of thumb", as stated in the Standard, to our property at 1 Boxgrove Close, it would seem that the proposed new dwelling will fall well within this 45-degree area and would therefore not meet this criteria.

We also believe it could be further considered that due to the elevated nature of the proposed dwelling in relation to both our property and No.36 Norbury Drive, that the proposed new dwelling could be considered as being higher than a standard 2 storey building and therefore the required separation distance could be considered to be that for a higher building and may well be 28m or greater as the standard suggests.

Given the restricted plot size it would also appear that the proposed design would not meet the guidance given in paragraph 2.15 of the Standard and given this any granted permission would appear to need to be conditioned to remove "permitted development" rights;

> *Houses and bungalows should usually be designed so that it would be possible for extensions to be added without detriment to adjoining properties. Where this is not possible "permitted development" rights will be removed by condition"*

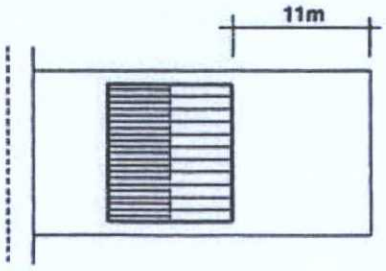
Section 3 "Amenity Space" of the Standard would appear to apply almost in its entirety but for easy reference we have reproduced here what appear to be the most relevant points;

> *"3.1 The rear garden of a dwelling provides a private outdoor amenity space as well as providing an attractive setting for a dwelling. New dwellings should normally have a rear garden sufficiently large to allow for the possibility of adding small extensions without reducing the garden unacceptably. Flats will also require adequate amenity areas. The size and type of amenity space required should be related to the size of a dwelling/flat and whether it is suitable for family occupation. It will also be affected by the character of the area. The main criteria for assessing amenity space are their depth, area, privacy and daylight."*
>
> ***"Depth***
> *3.2 A minimum rear garden depth for two-storey houses is derived from the minimum distance required between the rears of dwellings of 22m, (see 2.9 above). The minimum garden depth is, therefore usually 11m. It should be noted however that where the rear of one dwelling backs onto the side of another, 14m is required*

between the dwellings, and this may necessitate a garden of over 11m depth (see 2.11 above)."

Garden Depth

The minimum garden depth is 11m.



3.3 In some cases a plot may be shaped such that it has very little rear garden but instead a large side garden. This may be acceptable in some circumstances providing that there is at least 22m between any facing windows and the side garden is enclosed by a screen wall to give adequate privacy, and has a width of at least 11m.

It would appear from the above extract of the Standard that the proposed design would conflict with these requirements and referring again to the submitted "Location & Block Plan" that the rear garden falls very short of the required 11m depth and if the side garden were to be considered this would also again appear to fall short of the 11m dimension, given that the drawing shows this as being 8.339m, which depending on interpretation may be reduced to more like 7.339m if the external staircase is considered as part of the building and excluded from the garden depth.

Section 3.9 of the Standard would appear to support the section in our original objection relating to unacceptable loss of light for our property and especially in relation to the proximity of the existing dwelling at No. 36 Norbury Drive and the proposed new dwelling as follows;

Daylight

3.9 It is important that rear garden areas are not unduly overshadowed by adjoining properties. The distance required between facing principal windows will usually ensure there is no problem with properties to the rear. Overshadowing of gardens from adjoining properties to the side can be minimised by maintaining a rear "building line". Dwellings will not usually be allowed therefore that project significantly beyond the rear of adjoining dwellings (see 2.12 above).

The proposed scheme appears to be in direct conflict with the requirements of section 5 of the Standard, "Landscaping" and in particular paragraph 5.1 relating to the proposed removal of all of the existing mature tree and hedge planting;

"5. Landscaping
5.1 New residential developments should retain important existing landscaping features such as healthy trees or established hedges and provide new planting where appropriate. These can often help to assimilate and integrate proposed developments with the existing character of an area and make an important contribution to the appearance and character of an area."

Alongside our other previously submitted objection we believe that the proposed scheme does not accord with the **"Development Management Standard No.1 Space Around New Dwellings And Flats"** and should be refused planning permission.

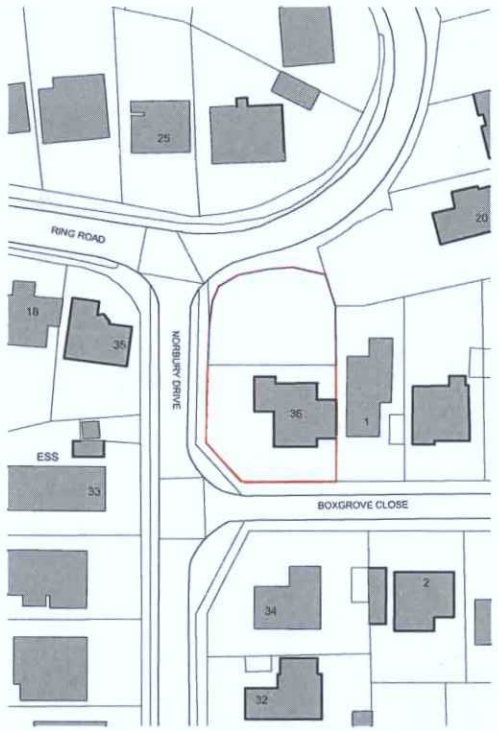
Should you require any further information or assistance from us on this matter please do not hesitate to contact us using the details provided at the head of this letter.

Yours faithfully,

[redacted] [redacted]

Michael Adams & Sally Tarr

Attachments and Enclosures;
Location & Block Plan



01 Location Plan
Scale:1:1250



02 Block Plan
Scale:1:500

1:1250 @ A3
Scale in Metres
0 10 20 30 40 50 100

1:500 @ A3
Scale in Metres
0 5 10 15 20 30 40 50

Do not scale from this drawing. Work to figured dimensions only.
Dimensions to be taken on site prior to manufacture, fabrication or installation.
Any discrepancies to be reported to Yelo Architects immediately.

N

Existing Site Boundary
Proposed Site Boundary

ISSUED FOR PLANNING

Rev	Date	Description
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
A	08.01.19	Dims added as per planner comment dated 08.09.19

Yelo Architects Ltd
Olivier House
18 Marine Parade
Brighton
BN2 1TL
T 01273 608 444
E mail@yeloarchitects.com
W yeloarchitects.com
Twitter yeloarchitects

PROJECT	YO306 36 Norbury Drive
DRAWING NAME	Location & Block Plan
DWG NUMBER	YO275 - 001
SCALE	1:1250 & 1:500 @ A3
DATE	December 2018
REV	A