Expiry: 16/7, EOT agreed to 26/8

Development Management - Delegated Officer Report

Application Number: AWDM/0655/24 Recommendation – Refuse

Site: 39 Abbey Road, Sompting

Proposal: Demolition of the existing garage and replacement with a single storey, 2no. bedroom bungalow including 3 parking spaces, one for the proposed bungalow, and a new drop kerb. Revised Proposal.

Date of site visit: 19/6

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to a bungalow on the east side of Abbey Road in the established residential suburb of Sompting. Abbey Road is a largely circular road made up of inter war bungalows. The site is on a corner plot and there is a garage at the end of the rear garden which is set back from the road. Like many bungalows in this road it has been extended into the roofspace to create an additional bedroom and also has a rear conservatory.

The site is not in a conservation area and is not a listed building. There are no protected trees on the site. There is no known flood risk associated with the site.

It is proposed to demolish the rear garage divide the plot and to add a 2-bedroom bungalow. The proposed bungalow has a fully pitched low roof. It is proposed in cream coloured brick under an artificial blue slate roof. A crossover for 3 cars is proposed with two spaces devoted to the existing property and one space for the new bungalow.

The application has been revised since first submitted with the bungalow repositioned nearer to the new shared boundary and the three car parking spaces created.

Relevant Planning History

AWDM/0647/24 - Removal of the existing roof, rear dormer window and rear conservatory and replacement with a full storey to form a 1st floor with 3 bedrooms, bathroom and shower room. Granted 31/7/24

Consultations

West Sussex County Council: The Highways Authority

Expiry: 16/7, EOT agreed to 26/8

'WSCC in its role as Local Highway Authority (LHA) has been reconsulted for the above application, following the applicant's submission of amended plans. The LHA previously provided comment on this application, dated 24/06/2024, raising no highway safety concerns.

From inspection of the amended plans, the proposals now include three off-street car parking spaces, served by a new 7.8m wide vehicle crossover. As per previous comments, the proposed access works will be subject to a licence obtained from the local WSCC Highway Area Office. Two off-street car parking spaces will be allocated to the existing dwelling whilst one off-street car parking space will be provided for the proposed dwelling.

Under WSCC Parking Standards, the anticipated parking demand for the existing and proposed dwellings would be three spaces and two spaces respectively, or five in total. Whilst the proposed parking provision still represents a shortfall of two car parking spaces, the amendments represent an improvement over what was previously assessed. The LHA will echo its previous comments whereby the shortfall in parking provision is not anticipated to give rise to a highway safety concern or parking capacity issue in this location, but the LPA are advised to consider the potential amenity impacts on on-street parking.

In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

<u>Conditions</u>
Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose. Reason: To provide car-parking space for the use

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

<u>Informative</u>
Vehicle Crossover – Minor Highway Works The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license

Expiry: 16/7, EOT agreed to 26/8

process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-orvehicle-crossovers-for-driveways-licence/"

WSP – Drainage Consultant

'We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments.

The applicant is applying for the demolition of the existing garage and replacement with a single storey, 2no. bedroom bungalow. The application is to Adur District Council.

Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application with the following conditions and informative attached:

Condition 1: Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Groundwater monitoring and infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Adur Council.

Condition 2: The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime

of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation.
II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
III. a management and maintenance plan for the lifetime of the development which shall include details of design life and the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Adur and Worthing Council.'

Southern Water

Connection application required. Building Regulations colleagues should be consulted on surface water. A public sewer may be crossing the site, informative required.

Sompting Parish Council: Supports the application.

Environmental Health: No objection.

Representations

One objection received in response to the re-notification and 4 neighbour objections received to the original. All summarised as follows:

1. Inadequate parking. 2 spaces for two properties and a total of 5 bedrooms totally inadequate.
2. Street already very congested. Two drop kerbs, or one wide one, will eliminate on street parking for existing residents.
3. Additional buildings built elsewhere in the street are on larger plots and have not affected character.
4. Room for emergency vehicles compromised.
5. Materials proposed for bungalow, cream bricks, out of character.
6. Current garage sits back from the road.
7. Building works, noise and dust unneighbourly.

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 15, 18, 20, 22, 31, 34, 35 and 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'' and No. 2 "Extensions and Alterations to Dwellings'.
Sustainable Energy SPD (August 2019)

Expiry: 16/7, EOT agreed to 26/8

National Planning Policy Framework (December 2023)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The Adur Local Plan was adopted on 14th December 2017. Policy 3 sets out the Housing supply over the period 2011-2032 and gives a total figure of 3718 (an annual target of 177 dwellings per annum).

Paragraph 76 of the NPPF 2023 states:
"*Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:*
a) their adopted plan is less than five years old; and
b) that adopted plan identified at least a five year supply of specific, deliverable
sites at the time that its examination concluded".

Paragraph 77 goes on to state:
"*In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply (*those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need*). The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period).*

The five year housing land supply position for the Adur Local Plan area, measured against the 2023 Standard Methodology figure for Adur of 448 dwellings per annum, and incorporating a 20% buffer as a result of the Housing Delivery Test 2022 measurement for Adur, demonstrates a 3.5 year supply of deliverable land as at 1st April 2023. (The Housing Delivery Test 2022, published December 2023, indicates that Adur delivered 72% of its requirement, and so a 20% buffer has been applied.)

As such, the presumption in favour of sustainable development, set out in the National Planning Policy Framework, applies. This states the permission should be granted unless one or both of two given criteria are met. Criterion

Expiry: 16/7, EOT agreed to 26/8

(ii) states that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The impacts are assessed below.

Visual amenity

The existing garage and the garage at No. 37, to the east, are set back from the pavement edge by over 6 metres.

Whilst the established building line of this part of Abbey Road is mixed, it is noted that the main masses of nos. 37 & 39 are in the order of 5m from their northern frontage boundaries. At No 37 a subordinate extension is further forward (around 2.4m from the boundary) but this makes little impact on the general sense of openness along this side of the street. The garages at both nos 37 & 39 are set back even further, around 6m.

To the east are some instances of frontages where the main mass of buildings are set around 4-5m from the frontage, at 40-46 (evens), but even with this distinction, there is a sense of spaciousness.

By contrast the proposed bungalow would sit 1.2 metres back from the pavement edge, including canopy. Whilst this uses a well-designed fully-hipped roof, the effect of this new mass is likely to appear intrusive in the streetscene

Policy 15 of the adopted Local Plan states:

Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area. It should
- Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;
- Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;

Paragraph 2.1 of Development Management Standard No.1 ‘Space Around New Dwellings and Flats’’ states

The space around and between dwellings/flats is an important factor in the creation of a new pleasant residential environment, contributing to the individual character, identity and appearance of an area. In infill and redevelopment schemes new buildings should respect the existing character and appearance of an area’.

Paragraph 2.6 states *‘Elevations with no principal windows should be set back at least 1m from a site boundary to allow access for maintenance and to avoid a cramped appearance.’*

Expiry: 16/7, EOT agreed to 26/8

Paragraph 2.8 states 'In the case of small detached, semi-detached and end-of-terrace dwellings a minimum gap of 1m should be provided between any wall of the dwellings and the side boundary.

The proposed bungalow sits on the new shared boundary behind a shallow frontage. It would not respect the typical layout and arrangement of masses in the street. It would retain a relatively short distance of around 7m to the rear of the existing dwelling at no.39. The combination of this short intervening distance and short set back of the frontage, would appear cramped within the the plot and street.

Three parking spaces in a row fronting and abutting Abbey Road, within this short intervening distance, would introduce considerable hardstanding to this frontage and visual congestion into this part of Abbey Road, with further detriment of the street scene.

It is acknowledged that the proposed building is well designed and presented. It has a balanced frontage, using two well- proportioned windows and a visually interesting modest bay and subordinate hipped roof. Decorative brickwork about the main door also shows regard for styles of the prevailing era in which the street and wider area was constructed. It is the relationship of the building to its plot and streetscene, rather than its detailed design, which is problematic in this case.

Amenity of existing and proposed house

The proposed bungalow meets the floorspace standard set out in the DCLG's Technical Housing Standards 2015 of 61sqm for a 2b3p single storey dwelling.

In the revised scheme the bungalow would have its private 'rear' garden to its east side which is untypical of the general layout of gardens in Abbey Road. The garden is narrow and has an area of approximately 50sqm. This falls 35sqm short of the standard for a small detached house set out in adopted 'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats''.

The retained garden area for the existing bungalow, including opened up side garden would meet the 85sqm requirement. It is not ideally arranged as it is a bisected garden divided by fencing and the proposed parking area, as illustrated in the revised proposed block plan. The main garden area, east facing, would be less than 8 metres from the flank wall of the proposed bungalow which would largely form and dominate the shared boundary and outlook form no.39. This is contrary to Paragraph 2.5 of adopted SPG Development Management Standard No.1 'Space Around New Dwellings and Flats'' which states that *'where a principal window faces a solid obstruction a distance of 11m is required between the window and a single-storey structure'.*

It is also noted that this might also tend to foster greater reliance on the side/front garden by future residents of no.39, with attendant pressure for

increased fencing, which may further erode the spacious quality of this part of the street

This inter relationship further points to a cramped layout resulting in an overbearing relationship to the parent house and its garden.

In the revised proposal the proposed bungalow would no longer be directly overlooked by the parent building with no west side flank windows.

Neighbour amenity

The proposed bungalow, due to its shallow pitched and hipped roof is considered not to cause significant harm to neighbour amenity directly. No. 41, to the south. This has a good sized and mature rear garden with a shed, greenhouse and summer house on the shared boundary. Due north of No. 41's garden, positioned a minimum 1 metre off the shared boundary and with an eaves height of less than 2.5 metres and a ridge height of 4.5 metres pitching away from the boundary, it is considered that no significant harm would occur.

The bungalow would sit close to the rear garden boundary with No. 37 also. This property has a garage outbuilding close to the common boundary so again harm would be avoided.

Bungalows opposite on the north side of Abbey Road are sufficiently distant from the proposal for it to cause harm.

Highways

Abbey Road is very heavily parked. It is proposed to close the existing crossover and to create a new crossover further west in Abbey Road. In the revised proposal three off street parking spaces are proposed off the one crossover. One space is proposed for the new bungalow and two spaces for the parent building. The parent building currently has two tandem parking spaces, including the garage.

The Highway Authority acknowledges a parking shortfall of 2 spaces but does not consider that this will cause a highway safety issue. They do advise that the LPA considers the impact on amenity of increased on-street parking. Neighbours are concerned about increased on street parking and at the time of two site visits, both mid-morning, the road was heavily parked.

However, it is not considered that a significant parking amenity issue would result.

Conclusion

Notwithstanding the presumption in favour of sustainable development and the small contribution this bungalow would make to housing supply it is

Expiry: 16/7, EOT agreed to 26/8

considered that the harm identified would significantly and demonstrably outweigh the benefits of granting planning permission.

Recommendation

Refuse for the following reason:

The proposed bungalow, which would be close to the northern frontage of the site and with a substantial area of parking hardstanding in between the limited remaining space to the rear of the parent building no.39 Abbey Road, would appear as a cramped overdevelopment of the site which would be out of character locally due to the proximity to the road. The dwelling, due to its proximity and scale would be overbearing to the parent building and would be provided with an inadequate, narrow garden to the detriment of future occupiers living conditions. The proposal is therefore contrary to policies 15 and 22 of the Local Plan, adopted Development Management Standard No.1 ‘Space Around New Dwellings and Flats’’ and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to letter(s) of representation? N

Case Officer:	MOK	Date: 21/8/2024
Authorised by:	Stephen Cantwell	Date: 28/08/2024