Expiry Date - 16-02-2017

Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1948/16

Site: **36 Lesser Foxholes Shoreham-by-Sea**

Proposal: **Demolition of existing buildings. Construction of three dwellings; compromising a pair of detached houses and a detached bungalow and associated landscaping and parking**

Neighbours checked: Y
Additional neighbour notifications: /N

Proposal, Site and Surroundings

The proposal is to extend the existing dwellinghouse building and divide it into 2 no. 4 bed dwellings alongside extension and conversion of the existing garage into a 3 bed bungalow.

The 3 bed bungalow would measure (at max) 4.6 metres in height, 21 m in length, and 9.5 metres in width. The house (to the north) would measure 7.8 metres in height, 15 m in length, and 12.5 metres in width. The house (to the south) would measure 7.8 metres in height, 15 m in length, and 12.5 metres in width.

Each dwelling would be allocated 2 parking spaces each. There will be one visitor space shared amongst all three dwellings. There would be a communal bin store along the shared driveway.

The proposed site lies in an outer residential suburb of Shoreham. Vehicular access to it is from Lesser Foxholes public road via a private drive (the landscape strip to the side of this drive is excluded from the application site). The site slopes downwards from east to west, with clear views across the River Adur Valley.

The site is situated in the early 1970s residential estate of Lesser Foxholes which has a predominance of two storey detached houses, many exhibiting an asymmetrical building form. Clay tiled roofs and brick exteriors, with hanging tile and flint work prevail. Properties have generally open frontages.

The existing dwellinghouse at 36 is a large detached two-storey 5 bed property. It is set well back from the public road itself. There is a single-storey garage building to the north boundary and a swimming pool at the rear. The existing property measures some 8.2 metres maximum height with a frontage width of 25 metres (35 metres if the garage is included). A large Willow tree exists at the entrance of the turning space within the

site. This, as well as any other tree over 50 years on site is covered by a Tree Preservation Order dating from 1966.

Relevant Planning History
AWDM/1657/15
Demolition of existing buildings. Construction of four 4-bedroom detached dwellings with basements, together with associated landscaping and parking including garages.
Refused 08-07-2016

Consultations (summarised)
Southern Water: *Please attach informative. The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable b sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should: Specify the responsibilities of each party for the implementation of the SUDS scheme. Specify a timetable for implementation. Provide a management and maintenance plan for the lifetime of the development. This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. Southern Water will rely on your consultations with the Environment Agency to ensure the protection of the public water supply source*.

South Downs National Park Liaison Officer: *The site is located approximately 300m south west of the boundary of the SDNP, which runs parallel with the significant infrastructure of the A27 at the junction of the Shoreham bypass. The site is partially visible from the boundary of the SDNP, from the 'Downs Link' footpath/cycle way, but through the significant road infrastructure of the bypass. Given the above context and the urban setting within which the proposed development would be sited, whilst it is unlikely that the scheme proposed would adversely impact on the setting of the SDNP, it would nevertheless be appropriate to consider appropriate finished floor levels and additional tree screening to help reduce the visual impact of the scheme on the setting of the National Park, particularly as experienced from the Downs Link. In addition, any internal and/or external lighting required in connection with this proposal would also have the potential to have significant effects on the dark skies of the National Park. In May 2016 the South Downs National Park became the world's newest International Dark Sky Reserve (IDSR). Therefore all development should include a full appraisal of both any internal and external lighting to consider what impact such may have on the dark skies of the National Park and if is appropriate and if so if/how it can be mitigated to meet the lighting standards of the Institute of Lighting Professionals (ILP) for rural zones. As the landscape, with its special qualities, is the main element of the nearby South Downs National Park and its setting, attention is drawn to the South Downs*

Integrated Landscape Character Assessment (Updated 2011) as a key document as part of the overall assessment of the impact of the development proposal, both individually and cumulatively, on the landscape character of the setting of the South Downs National Park; this document can be found at:http://www.southdowns.gov.uk/about-us/integrated-landscape-character-assessment Taking into account the above in the determination of this application, the SDNPA would also draw attention of Adur/Worthing Councils, as a relevant authority, to the Duty of Regard, as set out in the DEFRA guidance note at: http://archive.defra.gov.uk/rural/documents/protected/npaonb-duties-guide.pdf It may also be helpful to consider the development proposals in the context of National Park Circular 2010 for guidance on these issues at:https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf The SDNPA trust that the above comments are helpful to Adur/Worthing in the appraisal and determination of this planning application, in consideration of the setting and special qualities of the South Downs National Park.

West Sussex County Council Highway Authority: *Consulted previously on Highway Matters for this location under planning application AWDM/1657/15 for 4 x dwellings to which no objections were raised. The application was refused by the Local Planning Authority (LPA) on matters unrelated to highways safety. Current proposal is for extension of existing large residential dwelling to form 2 x 4-bedroom dwellings plus extension and conversion of garage building to form 1 x 3-bedroom dwelling. No changes to existing access via private drive on to 'Lesser Foxholes' is proposed. 'Lesser Foxholes' is an unclassified residential loop road subject to a 30 mph speed restriction. LHA do not wish to raise any highway safety concerns or transport grounds to resist the proposals subject to the advice and conditions set out in the report below.*

Access & Visibility *Access to site is via existing dropped kerb vehicle crossover (VCO), shared with neighbouring dwelling at the entrance, before the drive spurs off to the site. Access then narrows down to approximately 3 metres width for a length of 25 metres where two cars would not be able to pass one another in opposing directions. Considering the small scale intensification in vehicle movements expected the LHA could not substantiate highway safety reason for resisting the proposals on this basis. The layout enables sufficient forward visibility into the site so that in the event of conflict a vehicle could wait and give way if necessary. From inspection of local and WSCC mapping there is no apparent visibility issue upon exiting the site and no accident data provided by Sussex police within the past three years to suggest that the existing access and similar neighbouring arrangements have been operating unsafely. Manual for Streets (MfS) advises a stopping sight distance of 43 metres for 30 mph speeds. Acknowledged using maintainable highway and applicants land that this would not be achievable in south due to road layout and neighbouring boundaries. Nevertheless, low speed lightly trafficked nature of the residential road is taken into account and this was agreed previously under application AWDM/1657/15.*

Trip Generation *Transport Statement included to support proposals and includes investigation into anticipated additional vehicular movements that proposal will create. Trip Rate Information Computer Systems (TRICs) was employed to interrogate database with relevant criteria. This predicted total level of 15 vehicular movements per*

day with average 0-1 trip per hour throughout day. Existing trip generation, for single dwelling, not anticipated to be greater than 5-6 movements per day with one in AM and one in PM peak. LHA do not consider increase up to 9-10 additional vehicle movements per day would cause 'severe' impact on nearby road network.

Parking & Turning *Plans outline six external car parking spaces and one internal within single integral garage for furthest south dwelling. On basis six external spaces are kept as unallocated arrangement WSCC Car Parking Demand Calculator envisions total of five spaces for development required. LHA are therefore satisfied sufficient off street parking provision supplied for development's needs. Applicant demonstrated via swept path analysis that a large car and van can turn on site to enable an exit onto the highway in a forward gear. LHA is also satisfied that sufficient space has been provided for this. I note that the courtyard area will be constructed of gravel. Applicant should ensure that driveway, where it meets with the back edge of the footway, is covered in hardbound material or a gravel trap installed.*

Refuse Collection/ Emergency Vehicle Access *Proposed Site Plan indicates Refuse storage is at entrance to site, approximately 24.5 metres from road edge. Paragraph 6.8.9 of MfS states waste collection vehicles should be able to get within 25 m of the storage point. Need for Refuse Collection vehicle to enter and turn on site is therefore omitted and collection will take place from roadside, as will Fire Appliance in case of emergency.*

Sustainability *Separate secure and covered bicycle storage facility for up to 7 bicycles proposed; this is suitable for development and promotes sustainable form of transport. Shoreham town centre and train station are within approximately 1 mile and nearby bus services provide routes to onward towns and villages. LHA satisfied applicant has promoted and included for sustainable forms of transport to be taken up.*

Conclusion *LHA does not consider proposal for 3 x dwellings would have 'severe' impact on operation of Highway network, therefore not contrary to National Planning Policy Framework (paragraph 32), and no transport grounds to resist the proposal. If LPA are minded to approve the application we would advise conditions securing the cycle storage and parking and turning spaces.*

Adur & Worthing Councils Drainage Engineers: Site lies within flood zone 1, appears to be unaffected by surface water flooding and has no previous history of flooding. I note that a previous application for 4 four bedroomed houses on this site was refused. The applicant has indicated the intention to use sustainable drainage, mains sewer and ponds/lake for the disposal of surface water on the application form whilst the Access Statement refers to attenuation tanks under the gravel courtyard. It is therefore unclear exactly what is proposed, and I am not convinced that this area is served by a public surface water sewer. With this size of development I consider that more refined details should have been considered, so until such time as more precise details are provided I wish to lodge a ***holding objection.*** 2nd consultation: *Thank you for the opportunity to comment upon this application, the proposed site lies within flood zone 1, appears to be unaffected by surface water flooding and has no previous history of flooding. I note however that a previous application for 4 four bedroomed houses on this site was*

refused. The applicant has revised his application form and removed the reference to ponds, stating that surface water will be stored in attenuation tanks. I would assume that this means either a large tank soakaway constructed of crates, or if the area is actually served by surface water sewers a sealed attenuation tank with a control orifice which regulates the discharge rate. We will need this to be clarified in due course, but looking at the application drawings there is adequate space for attenuation tanks/soakaways as shown and therefore: In the absence of any ground investigation details or detailed drainage details in support of the application we request that should approval for these new builds be granted it be conditional such that 'no development approved by this permission shall commence until full details for the disposal of surface water has been received and approved by the Planning Authority' Soakage tests in accordance with DG 365 (2016) would be required to be undertaken on the proposed site to provide the data to ascertain the size of any soakaway required for the impermeable areas, alternatively full calculations will be required to support any attenuation tank design. Full design calculations should be provided for the soakaway soakage test result, and the ensuing soakaway and permeable paving designs, along with the rainfall calculations with the additional rainfall quantities appropriate for climate changes, as required under planning policy.

Adur & Worthing Councils Private Sector Housing team: *Secondary bedrooms on the north side of the bungalow can only be accessed through a corridor that is open to habitable areas and so are considered to be inner rooms. The hazard can be mitigated if the windows for these rooms meet the requirements for fire escape windows.*

Adur & Worthing Councils Waste Strategy Manager: *I have previously given a number of comments about this case. Do I take it that this is a new application? The last position that we adopted was that we would not enter the site to collect bins but that they would be placed at the end of the drive. Is this still the case?*
2nd Consultation: *No further comment needed from us then.*

Representations
Comments received from occupiers of 30 & 32 Lesser Foxholes: *Well done! At last the proposed buildings are in keeping with the locality. Several questions: 1) what are the plans for re-hedging the boundaries between 30 and No. 36 Seek re-assurance on this matter 2) What are parking and garaging plans? 3) Is the main edifice to be demolished? 4) What are the logistic plans for material removal and access? Concern about potential sweeps over their access drive. Seek clarification and re-assurance on this matter 5) what are the plans to avoid damage during construction to the verge of the Lesser Foxholes Management Co land adjacent to the access drive?*

Relevant Planning Policies and Guidance

National Planning Policy Framework
Saved Adur Local Plan policies: AG1, AP4, AP9, AH2, AH3, AH5, AH6, AB25
Adur Local Plan (submission) 2016 policies: 2, 3, 11, 15, 16, 21, 23, 29, 37

Planning Assessment

Principle

Residential redevelopment of the site would make a modest contribution to increase large family housing choice in the district where there is a recognised shortfall.

Policy AH2 does not preclude comprehensive redevelopment of residential garden land provided the design of it enhances the environment of the area. In this case, it will be done with effective and efficient use of the land.

Design quality and impact on character and appearance plus visual amenity

The existing buildings do not enjoy any formal or informal protection and are not of noteworthy architectural distinction, so demolition is not resisted in principle.

An earlier proposal for a contemporary redevelopment scheme that would have resulted in 4 dwellings on the site was not supported by Committee Members who refused permission for it.

This revised scheme is for 3 dwellings to match the materiality and style of the existing and surrounding buildings. It would conserve the existing neighbourhood character.

The scale of the buildings is equally much in the same as the existing building. The bungalow height and width closely resembles that of the existing garage. The mass and bulk of the development is broken up with a space break between the two buildings. This avoids the proposal appearing cramped on its plot. All the new buildings are now much in keeping with the style and design of the existing building on the site in terms of roof form and shape, and fenestration design. The new dwellings would be sited on a similar footprint to the existing dwelling and not protrude forward, so would not unduly prominent.

The drop in scale between the development closest to the south boundary (it is single storey at this point and two-storey at its max height) and that of the neighbouring building to the south, No. 8 The Paddocks, is now more sympathetic.

This rationale applies equally to the impact on the scheme on the wider Lesser Foxholes Estate and its street scene.

Accordingly, this scheme would be assimilated in wider views outside of the estate (along the River Adur), especially the adjacent National Park landscape. The east riverside setting includes Old Shoreham and St Nicolas Church and the chalk ridge as backdrop. With it conserving of the existing neighbourhood character, the proposal would not be discordant with only a very marginal interruption in the hillslope appearance.

This also means the proposal would not impinge further on the setting of these Listed Buildings and the Old Shoreham Conservation Area (some 66 metres distant) or the

Grade II Listed Buildings fairly close to the site (4, 5, 8, and 9 The Street) as well as Grade I St Nicolas Church. Intervening buildings mean the proposal would play no material part in their settings and the relevant statutory tests are satisfied.

The site is some 300m south west of the National Park boundary. The site is partially visible from the Park boundary from the 'Downs Link' footpath/cycle way but via views through significant road infrastructure of the bypass. The National Park Officer agrees given this context, the proposal would not be harmful to the setting of the National Park and the relevant statutory rests have been satisfied.

Residential amenity – future occupiers

Future occupiers would benefit from well sized rooms set out in a logical layout, with ample outlook and aspect. Outlook from the secondary bedrooms of the bungalow is limited but the master bedroom benefits from dual aspect.

All future occupiers would benefit from garden sizes that satisfy the Council's adopted standards (although their future use is somewhat reduced due to the steep gradient of the land).

Residential amenity – neighbours

Some modest intensification of use would be expected but the impacts would be marginal and residential in nature.

The immediate neighbours surrounding it are Nos. 30 and 32 Lesser Foxholes to the northeast, No. 40 Lesser Foxholes to the southeast and No. 8 The Paddock to the southwest. Nos. 30, 32 and 40 are orientated so all their principal living spaces (living rooms and bedrooms) face directly onto the application site (either southwest or westerly). The living spaces of No. 8 face westward onto the river valley.

The neighbours principally impacted upon by this building are those that encircle the site (Nos. 30, 32, and 40 Lesser Foxholes and No. 8 The Paddock). The proposal is sufficiently removed from the remainder so as to negate any material impact.

Neighbours to north (30 and 32 Lesser Foxholes)

Views onto these neighbours from the development would be screened by the existing boundary fence and conifer hedging (which is shown retained). Views from the first floor windows of the new two-storey dwellings behind the bungalow would serve bathroom/ensuite. In all other window-to-window relationships the views afforded would not be direct but rather oblique – so negating any intrusive overlooking and/or unacceptable loss of privacy.

The proximity of the bungalow roof over the boundary fence would reduce aspect and light to the rear facing fenestration of these neighbours to an extent. However the orientation of the new bungalow with the neighbouring buildings would be skewed to

avoid a long length of oppressive built form that would negatively impact windows. The result is that adverse overbearing and overshadowing would be avoided.

Neighbour to south (8 The Paddock) and to east (40 Lesser Foxholes)

Sufficient distance would be retained between the development and both these neighbouring buildings to avoid harmful overbearing and/or overshadowing (especially as the development is single storey closest to the southern boundary).

Views would be oblique onto the neighbour to the south, with the south facing windows serving bathroom/en-suite only – so negating intrusive overlooking and/or unacceptable loss of privacy.

The direct views onto the neighbour to the east would not be worse than the existing inter-visibility between buildings that currently occurs – so negating intrusive overlooking and/or unacceptable loss of privacy.

Parking and Accessibility

Ample space is available in the garage and around the site to accommodate all the bin and bike storage needs of future occupiers.

The submitted travel statement evidence expects the development to result in a level of vehicle movements that is not disputed by the Highway Authority and which is not anticipated the limited increase in traffic would give to conflict or parking congestion due to parking overspill from the site. The Highway Authority is content with the proposed provision of car parking spaces both for residents and visitors, having assessed it against their own 'parking in new residential development' standards and 'Parking Demand Calculator'. There is limited availability for additional on-street parking in the vicinity in the unlikely event such is required.

The driveway to the site has minimum width of access, with clear visibility along its whole length (allowing a second vehicle to wait safely if one is already using the access road). The courtyard allows for reversing if necessary. Its width allows for a fire tender to access the site.

There the proposal would be compliant with local and national planning policy, in which development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para. 32 of the NPPF).

Drainage

The drive will be permeable gravel. Attenuation tanks may be placed under it to catch surface run off. The final drainage scheme can be secured by condition.

Trees

The existing Willow tree is preserved by Order. It will be retained. Measures for its protection can be secured by planning condition.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved plans
2. Standard time limit
3. No development until Construction Management Plan agreed
4. No development, including site works, until all trees retained protected in accordance with arboricultural method statement
5. No development until materials and finishes agreed
6. No development until foul and surface water connections agreed
7. No development until hard/soft landscaping works agreed. Completed prior to occupation or completion of development
8. No development until boundary treatment agreed. No occupation until completed
9. No occupation until parking spaces, garages, and access facilities provided. Retained thereafter
10. No occupation until cycle storage provided and retained thereafter
11. No occupation until bin storage provided and retained thereafter
12. First floor windows on north and south side elevations of two-storey dwellings hereby permitted as obscure glazed/ high level.
13. No further windows in upper floors of north and south elevations of end units
14. No external lighting except as agreed
15. Notwithstanding "pd" no gate, fence etc
16. Notwithstanding "pd" no future alterations/additions/extensions

Informative

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.

Is recommendation contrary to any representations? Y

Case Officer signed: Matthew Porter Date: 15-02-2017

Authorised and signed by: Gary Peck Date: 15 February 2017