Development Management – Delegated Officer Report

Application Number: AWDM/1805/22 **Recommendation: Approve**

Site: **Southwick Nursery, 15 Roman Way, Southwick**

Proposal: **Demolition of nursery buildings and construction of 1no. chalet bungalow**

Date of Site Visit: 1 December 2022 and visited in connection with previous application

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application relates to Southwick Nursery, a backland site which has been used as a horticultural nursery for many years. It has a site area of approximately 890m2 and contains four long polytunnels/greenhouses plus smaller office building, and sheds. The site is irregularly shaped with a pair of greenhouses adjacent to the rear of dwellings (21-29) Roman Way to the west and a second pair located further east behind 11 and 13 Roman Way to the north. The site is surrounded by residential dwellings in Roman Way to the north and west and Roman Crescent to the east and south.

The site is accessed via a narrow driveway adjacent to 13 Roman Way which also serves several private garages. 11 and 13 Roman Way are a semi-detached pair of bungalows with rooms in the roof; 17-29 Roman Way are two storey dwellings. The dwellings to the north and west of the site are closer than the larger detached dwellings to the south in Roman Crescent, which sit within the Southwick Conservation Area.

The application proposes the demolition of the buildings on the site and the erection of one 4 bed chalet bungalow. It would have a T-shaped plan and be single storey with a bedroom in the roof space. The east facing elevation includes a gable with, as amended, a single window at first floor. Three rooflights are shown on the south facing roofslope and a small obscure glazed triangular dormer is shown on the north facing roofslope.

The bungalow would be 14.8 metres deep on its west side, and 15.0m wide overall. The eaves would be 2.2m from the ground and the overall height of the bungalow is 5.5m.

Three parking spaces are proposed to the north of the dwelling.

The application follows refusal of a previous application in 2017, and subsequent dismissal of an appeal. That application was for two bungalows but was unacceptable for a number of reasons, including inadequate amenity space and garden depth and a dominating effect on neighbouring occupiers with an increased sense of enclosure and loss of outlook.

The current application, as amended, shows the bungalow as being located 5m from the western boundary, 1.5m from the southern boundary, 8.5m from the eastern boundary and 2m from the northern boundary at its closest point.

Planning History:

AWDM/0954/17 - Demolition of nursery greenhouses and office buildings and erection of 2 no. three-bedroom bungalows with three parking spaces - refused and appeal dismissed

Consultations:

West Sussex County Council: The Highways Authority has no objection.
Access
The applicant proposes no changes to the existing access point on Roman Way. The LHA does not anticipate that the proposed development would lead to a material intensification of use of the existing access point.
It should be noted that the proposed access point appears too narrow to allow for a fire appliance to enter the site. Therefore, the applicant is advised that to comply with building regulations, they may have to demonstrate that all parts of the proposed dwelling are within 45m of the operating location of a fire appliance.
Parking and Turning
The applicant proposes three car parking spaces. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces. Therefore, the LHA is satisfied with the proposed amount of parking. From inspection of the plans, the proposed parking spaces are suitably sized and on-site turning appears achievable.
Given the recent changes to the Building Regulations Approved Document S (Infrastructure for the Charging of Electric Vehicles), it may be that the provision of EV charging is now covered under separate legislation to planning. Therefore, WSCC as Highway Authority have no comment to make upon the EV charging provision as a result of this planning application. However, the planning case officer should check whether the development is being built under the old Building Control regulations, in place prior to June 15th 2022, and if they are, it may be appropriate to secure EV charging provision through the planning process.

Regarding cycles, the applicant has demonstrated a secure cycle store, providing cycle parking for at least two cycles in accordance with WSCC Parking Standards.
Sustainability
The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. Regular bus services can be caught from Old Shoreham Road, approximately 400m north of the site. Southwick Train Station is situated approximately 900m south of the site.
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 111), and that there are no transport grounds to resist the proposal.
Conditions
Car and cycle parking, Site set up

Adur and Worthing Councils: Public Health: Recommends conditions relating to contaminated land, hours of works, CMP

Technical Services: No objection subject to condition.

PSH: No objection

Southern Water: Standard advice

Representations

Original Plans:
2 representations received from 19 and 21 Roman Crescent:

- Covenant exists preventing building of any dwelling on the site
- This was relaxed under certain conditions, including there should be no south facing windows above ground floor
- The windows in the roofspace contravene this agreement

Amended Plans:

3 representations received from 19 and 21 Roman Crescent and 19 Roman Way:

- Driveway is not in the applicant's ownership
- Covenants on land
- Moving the bungalow further east results in overlooking of more properties
- Layout suggests it could be used as an HMO in future

- Drainage concerns

Relevant Planning Policies

Adur Local Plan 2017 policies 1,2,3,15,18,19, 20, 22, 25, 28, 34, 35, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Demonstrating Genuine Redundancy of Employment Sites (ADC 2019)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The site is not allocated for any particular use or development in the Adur Local Plan. The loss of the nursery is not subject to Policy 25 for the protection of employment sites (nursery use is likely to fall within Class E) and there is no objection in principle, therefore, to the redevelopment of the site for residential use. It is unlikely to be suitable for an alternative commercial use given its tight relationship with residential properties.

The main considerations are therefore the effects on the amenities of neighbouring residential occupiers, the effect on the character and appearance of the surrounding area and whether there would be any impact on highway safety.

Density, character and appearance

The site is well set back from the street within a backland location and will not be unduly prominent in public views. The height, form and design of the proposed bungalow is considered to be generally in keeping with existing development in the area, as there are bungalows immediately to the north.

The site is not regular in shape and is tightly constrained by the proximity of existing residential dwellings. The proposed layout allows for space around the dwelling and is less cramped than the previous scheme, particularly since the submission of the amended plans which moves the bungalow further from the western boundary.

The proposal therefore complies with the Council's Supplementary Planning Guidance, DM Standard No. 1, and it is considered that a single bungalow can be comfortably accommodated within the plot without causing harm to the character and appearance of the area.

Residential amenity - for proposed dwelling

The bungalow will have a floor area of 143m2 which exceeds the National Housing Standards for a 4 bedroom dwelling over two floors . Externally, the amenity space is very generous, in excess of 280m2 and comfortably in excess of the Council's SPG on Space Around New Dwellings and Flats.

Residential amenity - for existing occupiers

The main concern with the previous scheme was the impact on the residents to the west in Roman Way. In the appeal scheme the bulk of Plot 1 was only 9.5m from the rear of dwellings in Roman Way to the west. The Council's SPG requires a minimum separation distance of 11m where the rear of one dwelling faces the side of a single storey building.

The proposed pitched roof of the bungalow at that time was dwelling over 5m in height. It was considered that there would be an overbearing impact on the outlook from the ground floor and garden of 25 and 27 Roman Way in particular.

The current application shows a single bungalow with a 15m long expanse of pitched roof at a height of 4.76m, rising to 5.5m at a position in line with a pair of garages which sit between Nos 25 and 27 Roman Way. It is shown as being 5m from the boundary (compared with 3.5m in the previous application) and 11m from the rear of the conservatory extension at No.25. It will be 13.8m from the main two storey part of No.25. The 11m distance to the side of a single storey building companies with DM Standard No.1.

Three west facing windows are proposed on the ground floor, two of which serve an ensuite and can be required to be obscure glazed. The third window serves a bedroom and would be the only opening to that room. As such it would need to be clear glazed for the amenity of the occupant. Being at ground floor level, separated from the neighbours by a fence and a distance of 11m, it is not considered that any harmful overlooking or loss of privacy will occur. The impact of the development on the occupants in Roman Way to the west is therefore considered to be acceptable.

To the south, the dwellings in Roman Crescent (19 and 21) that back onto the site are in excess of 35m away and are not adversely affected by the proposal. Rooflights are shown on the southern roofslope of the proposed dwelling but a section drawing shows these to be with a cill height of 1.7m above the floor to prevent views towards the neighbouring dwellings. No harmful overlooking will occur therefore. The neighbours' reference to a covenant preventing any upper floor windows is noted but this is not a planning matter.

To the north, 11 and 13 Roman Way are bungalows on higher ground than the application site. The distance to the rear of No. 13 will be 15m but with no upper floor windows other than a single obscure glazed window serving a stairwell on the north roofslope. Consequently, while the separation distance falls short of the recommended 22m in the Council's guidance, the lack of clear glazed windows will prevent any loss of privacy. The higher position of 11 and 13 Roman Way will also help to reduce any overbearing impact and it is not considered that the proposed bungalow will have an adverse impact on the amenities of the occupiers of those dwellings to the north.

Finally, to the east, a large area of glazing was originally proposed with opening doors at first floor with a juliet balcony. There were concerns that this would be rather intrusive and out of keeping and the design has been amended to reduce it to a smaller window to serve the bedroom in the roofspace.

Views will be across the end of the rear garden of 23 Roman Crescent, 8m from the boundary and over 30m from the rear elevation of that property. There will be 46m to the rear of dwellings in Roman Crescent to the east and they will not be adversely affected.

Overall, the bungalow is considered to fit comfortably with the plot and will not harm the amenities of existing residents.

Parking and Access

The site is an existing commercial plant nursery and the Transport Statement submitted with the previous application concluded that the traffic generation for that two dwelling scheme was less than the existing nursery use. The existing vehicular access is narrow and awkward with a drop in levels and limited visibility where it meets the public highway. However, the access already serves a number of garages and appears to have been operating without evidence of highway safety concern. There is no objection therefore to the use of the access.

Three parking spaces are shown within the site which is considered to be sufficient for this 4 bed property. Cycle storage is also shown.

Representations have been received regarding covenants on the land and the use of the access. However, these are civil matters and are not a relevant planning consideration in this case.

Sustainability

A Sustainability Statement submitted with the application states that a ground source heat pump will be incorporated into the development to reduce carbon emissions.

Flood risk and drainage

There are surface water flooding concerns in the area but the Council's Engineer has not raised any site specific objection in this case, subject to further details of the drainage scheme being submitted post-decision,including soakage tests to assess whether the use of soakaways is viable here.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. CMP
4. Hours of work
5. Drainage
6. Contaminated land
7. Materials
8. 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 submitted to and approved by the Local Planning Authority.
9. No part of the development shall be first occupied until the vehicle parking and turning spaces, including EV charging points, have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.
10. No additional roof windows
11. Remove PD Classes A-E
12. Details of ground source heat pump and its location to be submitted and approved.

Is recommendation contrary to letter(s) of representation Y

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.

Case Officer: Peter Barnett Date: 2 February 2023

Authorised by: Date: