Expiry Date - 16-03-2016

Development Control – Delegated Officer Report

Application Number: **AWDM/1727/15**

Recommendation – APPROVE Conditionally

Site: **56 The Green, Southwick**

Proposal: **New detached four bedroom dwelling to north of No. 56 with shared access and parking**

Neighbours checked: Y
Additional neighbour notifications: /N

Proposal, Site and Surroundings

No. 56 is a two-storey semi-detached dwelling with pitched front gabled mock-Tudor frontage and distinguished chimney. It has a flat roof extension off the rear. To its side is a free standing single storey garage. The area in front of this is put over to parking. The front boundary is demarked by a combination of low rise fence and brick wall, covered by ivy. Between the house and the highway is a wide verge. It means the site is accessed via a private drive.

A holly tree exists at the front. Trees in the rear are protected under Preservation Order.

It is situated in *Area 4: The Green* of the Southwick Conservation Area, as identified in Southwick Conservation Area Character Appraisal and Management Strategy.

The proposal is for the erection of a detached two-storey 4 bed dwellinghouse to the immediate north of No. 56. This would be built in an inter-war design and style. Both the existing and new dwellings would be provided 1 car space each, in a shared turning space at the front of both buildings. The full details of the proposal are shown on the submitted drawings.

Relevant Planning History

None

Consultations

Southern Water: *No objection, attach informative. Application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Applicant will need to ensure arrangements exist for long term maintenance of SUDs facilities.*

West Sussex County Council Highway Authority:

First Consultation: No highways concerns to principle. Not satisfied with proposed vehicle parking and turning arrangements adequate. Not appropriate to secure such modification by way of planning condition at this time. ***Access.*** *Both*

existing and proposed dwelling served via existing point of access to which no changes proposed. Access point is bell-mouth style point of access which gives priority to vehicles over pedestrians when crossing footway. Access way crosses area of private land approximately 13 meters in width in between back edge of footway and boundary of property. Open area is not considered to publically maintained highway. Access appears operating safely at present. ***Vehicle Parking and Turning.*** *Proposal will result in loss of garage facility used by 56 The Green and provision of shared parking and turning area. Each dwelling allocated two off street car parking spaces. Using WSCC car parking demand calculator anticipated dwelling of this size in this location would attract demand for 2 off street car parking spaces. 56 The Green will lose garage facility and off street car parking hard-standing as result, therefore consideration needs to be given to parking requirements of 56 The Green. While no floor plans provided to assess parking requirements of 56 The Green it would be likely, given size of dwelling, that two spaces would be minimum requirement. While each dwelling independently would attract demand for 2 spaces per dwelling I advise in combination it would be anticipated a 5th space required to serve as unallocated visitor parking. On inspection of site plan parking and turning area constrained. While appreciated LPA have expressed a reluctance to increase amount of hard standing provided would not be satisfied site layout can accommodate anticipated parking demand and provide turn on site. After inspection of existing block plan considered existing dwelling at present is provided with appropriate quantity of parking provision and turn on site facility. Also note impracticalities with reversing out of the site for 13 metres to access public highway. On this basis I advise parking and turning arrangements are modified in line with comments above. Proposed dwelling should be provided with secure and covered cycle parking facility in interests of sustainability. As existing dwelling is losing its garage facility beneficial, if not already available, to secure such facility for existing dwelling, 65 The Green.*

2nd Consultation: The agent has provided the following comments. It would be agreed site is sustainably located and this reduces requirement of on-site parking. Application assessed using WSCC car parking demand calculator and it would be anticipated that 5 spaces would be required to serve needs of development, 2 per dwelling and one unallocated for visitors. As proposed the development includes provision for 4 spaces, one short of this anticipated demand. Consideration is given if this can be accommodated safely on street. Conclude this would be the case and no highway safety concerns raised to one additional vehicle being parked on street in this location. Other dwellings on The Green operate a parking facility without turn on site and do appear to be operating safely according to latest available validated personal injury accident injury data. While no overriding highways safety concerns raised to a vehicle reversing into or out of the site would make LPA aware that reversing out of the site along access dive for 13 metres to access public highway is impracticable. Proposed layout also has potential for vehicle to be blocked in. In combination may result in residents not using proposed parking facility in favour of on street car parking. If no modification proposed to layout of parking area the LPA would be advised to consider implications this may have towards on street car parking. The applicant may therefore wish to consider revising frontage to meet advised demand of development or to include only one allocated space per dwelling and

a dedicated shared turn on site facility. Typically advised access drive is widened to 4.1 metres in order to facilitate passing of vehicles at slow speed. However based on red edge plan does not appear that any widening works possible. The chances of opposing vehicle coming into conflict is extremely low and do not believe existing access width could be used to substantiate a highway safety reason for refusal.

3rd Consultation: Applicant has revised scheme so turn on site in proposed frontage is provided. Resulted with each dwelling being provided only one off street car parking space. Assessed amendments against WSCC car Parking demand calculator. Assuming 56 The Green is of a similar size to dwelling proposed it would be anticipated total car parking demand of existing and proposed dwelling would be 4 spaces. Would result in shortfall of two spaces needing to be provided on street. On street car parking is available in an appropriate walking distance of site. Site is sustainably located with walking and cycling distance to range of public services and amenities. Train and busses would be considered realistic travel options for longer trips. I note nearby junctions such as The Green/Southview Road and Roman Road are afforded appropriate junction protection to prohibit unsafe parking practices. Should these no waiting restrictions be breached they would be enforceable. On balance taking into consideration the small scale nature of the proposal no highway safety or capacity concerns would be raised to this small increase in on street car parking demand. The LPA would be advised to consider the implications towards on street car parking amenity. I would not be minded to request a car parking capacity survey be conducted in this instance. If the LPA are minded to grant planning consent the following conditions would be advised: ***Construction plant and materials*** *No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction. Reason: To avoid undue congestion of the site and consequent obstruction to access.* ***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 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.* ***Vehicle parking and turning*** *No part of the proposed dwelling shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use. Reason: To provide adequate on-site car parking and turning space for the development.*

Adur District Conservation Advisory Group: *unanimously approved*

Adur & Worthing Councils Senior Tree and Landscape Officer*: Plans indicate existing trees in rear garden retained, and these appear reasonable*

distance from proposed dwelling to outside of Root Protection Zone. Removal of Holly tree in front garden may affect amenity of Conservation Area, although tree is unlikely to be suitable for protection. Consider replacing Holly tree with upright Hawthorn -Crataegus monogyna Stricta of 10-12 cm Girth in minimum 50ltr container or equivalent, acceptable

Adur & Worthing Councils Environmental Health: *No adverse Environmental Health comments to make*

Adur & Worthing Councils Engineers: *Site lies in flood zone 1 appears unaffected by surface water flooding, and has no history of flooding. However The Green floods regularly during the winter and SWS have significant issues with both surface and ground water affecting both their Surface Water, and Foul Sewers. It is unlikely that SWS will accept any surface water connection from this property. Applicant indicated intention to use soakaways for disposal of surface water. Applicant needs to assess if use of soakaways is viable on this site. The proposed location for the soakaway will need to be more than 5m from existing or new structures, and there will need to be a soakage test undertaken at that location to ascertain if a soakaway will adequately empty. There appears from the drawings to be sufficient area to adequately site soakaways. Therefore in this instance the only comments we wish to make at this time relates to the disposal of the surface water. In the absence of any ground investigation details or detailed drainage details in support of the application although the applicant appears to have indicated his intention to utilize soakaways we request that should approval for this new build 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 approved by the Planning Authority' Soakage tests in accordance with BRE Digest 365 (1991) would be required to be undertaken on the proposed site to provide the data to ascertain the size of the soakaway required for the impermeable areas. The test should be undertaken during the winter months which will be when ground water levels are elevated. 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.*

It would be beneficial to add to the planning file the information for potential land purchasers / developers, the fact that the Green regularly floods during the winter months. The ground water levels rise causing an historic stream to flow within the back gardens of properties north of the site in Underdown Road and Southview Road. This stream and the associated elevated ground water cause surface water flooding of the Green and to several gardens of surrounding properties. I cannot say for sure if this site is actually affected by ground / surface water issues. The applicant lives in the adjacent property and will be aware of the Green Flooding issues, If in the future the soakaway backs up and "fails" after our approval of the drainage proposals, could that come back on us as a claim?

Representations (summarised)
None received.

Relevant Planning Policies and Guidance
National Planning Policy Framework
Saved Adur Local Plan: AG1, AB3, AB4, AH2, AP4
Southwick Conservation Area Character Appraisal and Management Strategy

Planning Assessment

Principle

The proposal would make a very modest addition to housing supply in the district where there is an identified shortfall, in particular providing a family house. The existence of it would not undermine the continued appeal of the existing dwelling for family occupation either.

The principle is therefore acceptable, subject to satisfying the statutory test for new development in a Conservation Area.

Heritage Assets and visual amenity

The new dwelling would be a sympathetic addition to the plan form and layout of the surrounding built environment. It responds positively to qualities of the Conservation Area identified in the Council's adopted appraisal. It is orientated toward the green and set reasonably at the front of the site to take advantage of this outlook, which is identified as important to the area's character in the Appraisal.

The Council's Appraisal identifies that plot sizes are variable so the proposed plot size and truncation of the existing plot would not be out of character. Although situated between existing buildings on either side, there is sufficient spacing and a correct scale to avoid the new dwelling appearing cramped (this is helped by the cat slide roof on the north side).

The Appraisal also notes trees and vegetation in private gardens contribute positively to the area; it is proposed to replace the loss of the Holly tree with a specimen of comparable public amenity value. The Appraisal identifies the majority of buildings are houses and there is mix of property types, and that the scale of development is relatively uniform, being approximately two storey in height across the whole area and occupying a relatively consistent footprint. The new dwelling would be in the scale of a domestic family house at two-storey, and detached with a footprint is in relative conformity with other buildings. The Appraisal notes that materials used are diverse with the 20th century buildings using render or red brick (or a combination). Roof coverings are generally plain tile. The proposed dwelling would reflect these materials and finishes. The existing garage building is not unpleasant but is not identified in the Appraisal for future retention; its loss would have a marginal impact on the area's special qualities.

The Appraisal notes the wide grassed verges between the street and the front boundaries of the dwelling plots. These are very well maintained, and contribute further to the green space in the area. The proposal would retain this feature.

Given the above, the statutory test for new development in the Conservation Area has been satisfied and the proposal would make a positive contribution to the established character and appearance of the street scene.

Residential amenities - future occupiers

Future occupiers would benefit from adequate interior rooms with logical layout and outlook. It would be fairly compliant with the Council's guidance in relation to space around new dwellings and room standards; the marginal shortfalls do not result in poor future living conditions and reflect the constraints of infilling the site.

The garden provided for the new dwelling and the existing one truncated would offer occupiers of both properties a garden space that would accommodate family needs, and of comparable size to plots of buildings of similar sizes in the immediate area.

Protected Trees

Trees at the rear are preserved by Order. The proposed building would not intrude into the Root Protection Zone so their health and longevity would not be materially harmed.

The existing tree at the front would be lost. However a replacement specimen compensates against its loss.

Residential amenities - neighbours

The neighbours principally impacted upon by this proposal are those flat occupiers to the north and the neighbour to the south (it is physically removed from the remainder so as to avoid harm arising).

Neighbours to north (1- 15 Hope Cottages)

These neighbours occupy a block of flats. Principal habitable rooms face south, onto the application site. The layout of the flats mean certain occupiers are dependent upon southerly aspect for both bedroom and living space.

The new dwellinghouse building would bring built form closer to these neighbours, which would reduce their outlook and aspect and create a sense of enclosure.

However the distance retained between the new dwelling and those habitable room flat windows is sufficient to avoid adverse overshadowing and materially harmful loss of light. The application is supported by a daylight and sunlight study to demonstrate this.

Additionally, this retained distance satisfies the Council's adopted standard in relation to a rear and flank elevation to negate the potential for adverse overbearing impact. The cat slide roof to the north side assists in reducing perceived bulk and mass to the building.

Some mutual overlooking and reduction in privacy would be experienced between neighbours. However as the bedroom of the new dwelling are served by roof lights direct window-to-window intrusive overlooking would be avoided, with unacceptable loss of privacy negated. Overlooking of outdoor amenity space would be oblique and typical of the existing suburban situation.

Neighbours to south (No. 56)

The affected fenestration arrangement of this building consists of living room glazing (plus roof lantern) and first floor bedroom window facing east, together with ground floor habitable window facing north.

The new dwelling building would protrude significantly beyond the rear wall of No. 56. The affected fenestration would experience a fairly significant impact on light and outlook. However the new building is due north, so No. 56 would continue to benefit from its existing southerly aspect. Additionally, outlook and light to the ground floor window facing north is already compromised by the existing garage so the new situation arising would be no different.

The distance and position of the new and existing buildings would roughly satisfy the BRE light standard in relation to the 45 degree for both the bedroom and living room glazing. Given this, resultant overbearing and overshadowing would not be adversely harmful onto this neighbour's living conditions, although it would occur.

Some mutual overlooking and reduction in privacy would be experienced between neighbours. However intrusive overlooking would be avoided due to the fenestration arrangement at first floor in the facing flank elevation, with unacceptable loss of privacy negated. Overlooking of gardens would be oblique and typical of the existing suburban situation.

This immediate building is occupied by the applicant. He is knowingly disadvantaging his own living conditions by proceeding with this proposal.

Drainage

Following Southern Water's comments the applicant no longer intends to undertake SUDs. The Engineers have queried the suitability of the site to accommodate soakaways (although from plan the plot appears capable of this).

Given this uncertainty, it is prudent to condition the permission to allow future control of the eventual provision of soakaways.

Parking and accessibility

A revised parking and turning space is now proposed. This continues to be a shared space with No. 56 but now only provides 1 space per dwelling and turning on site, as opposed to 2 spaces per dwelling but no turn on site. The reduction in parking space has occurred because it was not practicable to turn on the site with 4 spaces.

The highway authority maintains 5 spaces are required to serve the needs of the development, 2 per dwelling and 1 for visitors. The highway authority accepts the surrounding highway network has capacity to accommodate the unallocated visitor space without a highway safety issue arising. This leaves the shortfall of a further 2 spaces to be accommodated on street.

The Green is heavily parked and on street parking along it significantly narrows the highway. There is limited capacity to park on street further south along The Green, especially beyond Southdown Road. However, the highway of Roman Crescent exhibits capacity to accommodate 2 additional spaces. Given the proximity of Roman Crescent just north of the application site, it is feasible that future occupiers would park on this street. Following re-consultation, County Highways accepts this situation.

Regarding turning, the Highway Authority notes other properties operate without a turn on site but that reversing down a 13 metre drive would be impracticable. The revised scheme now allows for turning on site so vehicles would exit in forward gear. There is no realistic opportunity to widen the existing driveway access (it is outside of the applicant's ownership and the grass verge is noted to contribute to the special qualities of the Conservation Area), so a revised parking layout is the only solution to providing adequate turn on site.

There is ample space in the rear gardens to provide for cycle provision. Bins will be taken down to the end of the drive on collection day. A construction management plan can be secured by way of condition to reduce potential disruption to highway safety during implementation.

On balance, it is considered the shortfall in on-site parking provision is an acceptable inevitable consequence of providing a solution to the turn on site, and such as the local highway network has the capacity to accommodate the shortfall in parking demand without a danger to highway safety arising.

Recommendation

APPROVE

Subject to Conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:-

   Drawing No. 1540/PL.01 titled Location Plan date valid 01-12-2015
   Drawing No. 1540/PL.02 Rev C titled Block Plan date received 12-02-2016
   Drawing No. 1540/PL.03 Rev C titled Site Layout date received 12-02-2016

Drawing No. 1540/PL.07 Rev D titled Elevations Sheet 1 date received 09-03-2016
Drawing No. 1540/PL.08 Rev C titled Elevations Sheet 2 date received 09-03-2016
Drawing No. 1540/PL.05 Rev D titled Street Scene date received 09-03-2016
Drawing No. 1540/PL.06 Rev B titled Floor Plans date received 12-02-2016

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development, including site works of any description, shall take place on the site unless and until all the existing trees identified for retention on a specified plan on the site have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the local planning authority and shall include any proposal for pruning or other preventative works. Within the areas so protected the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left un-severed.

   Reason*:* To protect the trees either preserved by Order or otherwise from damage to their health and longevity and in the interests of visual amenity and the special qualities of the Conservation Area to comply with Adur Saved Local Plan policies AB3 and AB4

4. No development shall be carried out unless and until a schedule and samples of materials and finishes to be used for the external walls (including windows and doors) and roofs of the dwellinghouse building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

   Reason*:* In the interests of visual amenity and the special qualities of the Conservation Area to comply with saved policies AH2, AB3 and AB4 of the Adur District Local Plan.

5. No development shall be commenced until a scheme for the disposal of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. These drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.

   Soakage tests in accordance with BRE Digest 365 (1991) would be required to be undertaken on the proposed site to provide the data to ascertain the size of the soakaway required for the impermeable areas. The test should be undertaken during the winter months which will be when ground water levels are elevated. 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.

Reason: To ensure that the proposed development is adequately drained to avoid material exacerbation of flood risk and comply with Adur Saved Local Plan policies AP4.

6. No occupation of the dwellinghouse building hereby approved shall occur until site boundary walls and/or fences have been erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority and they shall thereafter be retained permanently.

   Reason: In the interests of amenity and to comply with saved policy AH2 of the Adur Local Plan.

7. No occupation of the dwellinghouse building hereby approved shall occur until the parking spaces and access and turning facilities have been provided on site in accordance with approved plans. The areas of land so provided shall not thereafter be used for any purpose other than access, turning, and parking of vehicles incidental to the use of the dwellinghouses concerned.

   Reason*:* In the interests of amenity and highway safety to ensure vehicles exit the site in forward gear and to avoid harmful exacerbation of parking on street, having regard to National Planning Policy Framework

8. No occupation of the dwellinghouse building hereby approved shall occur until an upright Hawthorn (Crataegus monogyna Stricta) of 10-12 cm Girth in minimum 50ltr container or equivalent, has been planted on site in accordance with the approved plans. In the event that the tree dies or becomes seriously damaged or diseased within a period of five years following planting it shall be replaced in the next planting season with another of similar size and species unless the local planning authority gives written consent to any variation.

   Reason: In the interests of amenity as mitigation of the harm to the special qualities of the Conservation Area that would arise from the loss of Holly tree to comply with Adur Saved Local Plan policies AB3 and AB4.

9. The first floor windows in the south side elevation of the dwellinghouse building hereby permitted shall at all times be glazed with obscured glass and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

   Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the dwellinghouse building hereby approved shall not be extended or altered or any incidental building over 5 cubic metres in volume erected within its curtilage.

Reason: In the interests of amenity including safeguarding the living conditions of neighbours and the special qualities of the Conservation Area having regard to saved policies AH2, AB3 and AB4 of the Adur District Local Plan

11. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed at first floor in either side elevations without the prior approval of the local planning authority.

    Reason: To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.

12. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

    Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with the relevant policies of the National Planning Policy Framework.

13. 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.

    Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with the relevant policies of the National Planning Policy Framework

Informative:

I) 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.

ii) The applicant should be aware of the following comments from Adur & Worthing Councils Engineers: The Green regularly floods during the winter months. The ground water levels rise causing an historic stream to flow within the back gardens of properties north of the site in Underdown Road and Southview Road. This stream and the associated elevated ground water cause surface water flooding of the Green and to several gardens of surrounding properties.

The applicant lives in the adjacent property and will be aware of the Green Flooding issues, if in the future the soakaway backs up and "fails" after our approval of the drainage proposals.

Is recommendation contrary to any representations? N

Case Officer signed: Matthew Porter Date: 17-03-2016

Authorised and signed by: Peter Barnett Date: 22 March 2016