Development Control – Delegated Officer Report

Application Number: AWDM/0527/14 Recommendation – APPROVE

Site: Craven Court Lancing West Sussex BN15 9FJ

Proposal: Retrospective application for variation of condition 14 of ADC/0334/06 comprising Minor Material Amendments to parking layout, hard and soft landscaping, street lighting and foul and surface water drainage (22, 24 and 26 West Lane and 1-6 Craven Court)

Date of site visit: 08.07.2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a development permitted under ADC/0334/06 for the demolition of 22, 24 and 26 West Lane and redevelopment to provide one chalet bungalow and a terrace of 3 houses on the frontage with a cul-de-sac of 6 semi-detached houses at the rear, with parking, carports and shared access road (10 units in total).

The new chalet bungalow fronting West Lane (26 West Lane) and the 6 no. semi-detached houses accessed from a private drive (1-6 Craven Court) have been developed. The original pair of semi-detached bungalows No.22 and 24 West Lane remain occupied and are not within the ownership or control of the applicant.

The current application is made retrospectively to regularise the development as built in respect of Units 1-7 (including 26 West Lane) and relates to:-

- Parking
- Street Lighting
- Drainage
- Surface Water Drainage
- Landscaping

No soft landscaping has been carried out and it is proposed to undertake the proposed planting in Autumn 2014.

Relevant Planning History

1 Craven Court AWEN/0156/12 Untidy Garden Case Closed 12.07.2012.

No current enforcement investigation relating to the development of Units 1-7 of ADC/0334/06 as built.

Consultations:

West Sussex County Council: The Highway Authority initially commented as follows:-

"The parking layout is acceptable and provides Plot 1 with 1 car parking space, Plots 2-6 with two parking spaces each, and plot 7 with 3 parking spaces. The number of spaces provided is in line with WSCC car parking standards and we raise no highway objection to these changes. These parking spaces should be set out in accordance with Manual for Streets guidance of 2.4m x 4.8m, it is noticed that no disabled spaces have been provided." [In actual fact Units 1-7 are provided with 2 parking spaces each. The amount of parking provision is unaltered compared to the approved drawing – only the positon of the spaces serving Unit 3 appear to have changed.]

It is understood that Craven Court will remain a private road. Clarification has been sought from the Highway Authority concerning the layout of the bell-mouth junction as built onto West Lane, but no further observations have been received.

Southern Water: No objection. Approval for the connection [to a public sewer] should be submitted under a Section 106 [of the Water Industry Act] application.

Adur and Worthing Councils:

The Principal Engineer comments:

"The site lies in Flood Zone 1, but the rear gardens are all identified by the EA as areas susceptible to Surface Water flooding.

I have looked at the details provided and note that soakaways were apparently constructed but there are no further details of the drainage on the drawings provided. The drawings reference Drg 3000 – 604, which I will need to see along with the calculations undertaken to identify the soakaway ring sizes. These calculations should have been based upon the results Soakage tests undertaken in accordance with BRE Digest 365 (1991), the results of which are also required."

Representations: None received**.**

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space Around new Dwellings and Flats' National Planning Policy Framework (CLG 2012).

Planning Assessment

Planning permission for demolition of 22, 24 and 26 West Lane and development to provide one chalet bungalow and a terrace of 3 houses at

front with 6 semi-detached houses (partly with rooms in roof) at rear with parking, car ports and shared access drive was approved on 10 January 2008 under ADC/0334/06. Some (but not all) of the pre-commencement conditions were agreed and the financial contribution towards sustainable transport improvements secured by a S106 Unilateral Undertaking was paid on 24.01.2008.

The development has been partially implemented not wholly in accordance with the approval drawings or the details of the conditions that were agreed. The current application seeks to regularise the situation by varying the approved drawings listed under Condition 14 of the permission.

Parking
The 2 parking spaces serving Unit 3 are now slightly closer (by 1.1m) to the front of Unit 4 than originally approved. The g/f window in the front of Unit 4 serves a WC and this minor change does not have any significant implications for the amenities of this future occupier.

Street Lighting
Condition 15 of ADC/0334/06 required details of street lighting to be approved prior to occupation of the dwellings but final details were never agreed. There are 3 lighting columns in situ (each with 3 lamps) positioned within the communal areas in front of Units 3, 5 and 7. The columns are of somewhat decorative appearance and are domestic scale but are considered adequate for the purposes of lighting the communal external areas. It is understood they will be maintained by the management company.

Drainage
It is understood that the drainage runs and surface water drainage system was not implemented by the developer in accordance the approved drawing (and secured by Condition 21 of ADC/0334/06) and that it has been necessary to retrospectively alter the position of the runs and the design of the surface water drainage scheme.

Southern Water has raised no objection to the drainage details. Although it is understood that formal connection to the foul sewer system has yet to be finalised under S106 of the Water Industry Act.

With regard to the surface water drainage system, the BRE Digest 365 calculations as requested by the Council's Engineer have not been provided by the applicant. However, the Principal Building Control Officer is satisfied of the revised design which has been implemented comprising of large concrete ring soakaways (as shown on the submitted drawings) and which is understood to meet the requirements of the Building Regulations.

Landscaping
No soft landscaping has been undertaken to date and consequently the development appears rather bleak. The submitted schedule has been amended to include additional planting areas - P (in front of Unit 5) and Q (in front of Unit 3) which is considered an improvement.

Conclusion

The development is not of a particularly high design quality and the scale of the rear semi-detached units appears somewhat jarring in relation to the modest bungalows retained on the frontage. However, as far as the external appearance of the development is concerned the deviations from the approved drawings and agreed conditions are relatively minor (hence the lack of any enforcement action taken in respect of them). The implementation of the planting scheme will help 'soften' the appearance of the development. The initial construction raised more significant concerns relating to the layout and construction of the access drive and the drainage systems. The latter appear to have been addressed both to the satisfaction of Southern Water and the Building Regulations, and it is understood the access road as built will remain a private drive and will not be adopted by the highway Authority.

There is an argument that the permission ADC/0334/06 remains extant in relation to the demolition of 22 and 24 West Lane and development of Units 8-10 at some point in the future. It is therefore important that this is addressed by any fresh permission issued.

Recommendation

APPROVE subject to:-

Subject to Conditions:-

2. The dwellings hereby permitted on Plots 8-10 shall not be occupied unless and until the walls and fences shown on Drawing 0401-247 Rev H17 have been erected.
3. The dwellings hereby permitted on Plots 8-10 shall not be occupied unless and until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the proposed dwellings.

5. No use of the vehicular accesses serving the dwellings on Plots 8-10 shall take place until satisfactory kerb and pavement crossings between the boundary of the site and the adjoining carriageway have been constructed.
6. Each access serving the dwellings on Plots 8-10 shall not exceed 3 metres in width and shall be laid out to provide visibility splays on each side of its junction with the existing public highway. These splays shall be 2 metres by 2 metres on each side of the access based on the existing highway boundary. No other work shall be carried out on the site until the above mentioned splay areas have been provided and thereafter they shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

9. No construction work shall be carried out on site unless there is available within the site in accordance with details approved by the Local Planning Authority provision for temporary parking and loading/unloading of all Contractors vehicles, and for Contractors

buildings, plant, and stacks of materials and such provision shall be retained for these purposes throughout the period of work on the site.

11. Within 6 months of the date of this permission the soft planting shown on Drawing 040-247 Rev D and described in the accompanying Planting Schedule received on 25 July 2014 shall be carried out in respect of the dwelling on Plots 1-6. The planting comprised in the approved details in respect of the dwellings on Plots 8-10 shall be carried out in the first planting and seeding seasons following the occupation of those dwellings. Any trees or plants which within a period of 5 years from initial planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

13. No development of the dwellings on Plots 8-10 shall be carried out unless and until a schedule and samples of the materials and external finishes to be used for the walls (including cills) and roofs of the dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the agreed details.
14. The development hereby permitted shall be carried out in accordance with the following approved plans:-
    Drawing No: 0401-345 Rev D Proposed Ground and First Floor Plans (As approved under ADC/0334/06)
    Drawing No: 0401-445 Rev A Proposed Elevations (As approved under ADC/0334/06)
    Drawing No: 0401-446 Rev C Proposed Elevations (As approved under ADC/0334/06)
    Drawing No: 0401-246 Rev H General Layout Date valid: 22 May 2014
    Drawing No: 0401-247 Rev D Landscaping Date received: 25 July 2014

17. Prior to the commencement of development of the dwellings on Plots 8-10 details of the floor level of the proposed buildings and any alterations to the ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved.
18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the dwellings shall not be extended or any incidental buildings (exceeding 10 cubic metres in volume) erected within their curtilages unless permission is granted by the Local Planning Authority on an application in that behalf.
19. The glazing in the dormer on the south side of the dwelling on Plot 7 and the first-floor windows in the north sides of the dwellings on Plots 2 and 6 shall be obscured and retained as such permanently.
20. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (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 in the side walls of the dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

21. The development of the dwellings on Plots 8-10 hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the buildings shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

Informative

1. Southern Water advise that approval for the connection to a public sewer will require an application under Section 106 of the Water Industry Act.
2. 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 letter(s) of representation? N

Case Officer: Jo Morin Date: 9 Sept 2014

Authorised by: Gary Peck Date: 9 September 2014