Development Management - Delegated Officer Report

Application Number: AWDM/1188/19 Recommendation – REFUSE

Site: 22 Downside, Shoreham-By-Sea, West Sussex

Proposal: Proposed detached 2 bedroom bungalow with new vehicular access and hard surfacing.

Date of site visit:

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site, Surroundings and Planning History

The site is located on the north side of Shoreham to the south of the A27. The site as existing comprises of a bungalow on a corner plot with Downside to the south and Tottington Way to the west. The ground level rises significantly to the rear of the site. The rear garden is terraced with a raised lawn and decking above an existing garage. The site is enclosed to the side and rear by evergreen hedging and a close boarded fence. A side extension at the bungalow has recently been completed.

The area is characterised mainly by bungalows many of which have been extended some with roof extensions, although these are manly in Downside.

An application was refused and appeal dismissed in 2009/10. The proposal was for a two/three bedroom dwelling (Eco House) at rear (fronting Tottington Way) incorporating existing garage structure. This was refused for the following reasons:

1. The size and shape of the plot, the scale of the development and its relationship to existing properties are incompatible with existing development in the area and the proposal constitutes overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to the policies of the Adur District Local Plan (AG1, AH2).

2. The proposal would result in a reduction of amenity space at 22 Downside to an unacceptable standard which would be detrimental to the residential amenities of the existing dwelling and therefore contrary to policies AG1 and AH2 of the Adur District Local Plan.

These reasons were upheld in the Appeal Decision. It was concluded that the additional dwelling would ‘erode the character and appearance of the surrounding area,’ ‘It would be a clear breach of the distinctive local pattern of development.

In addition the Inspector stated that, ‘a further consequence of sub-dividing the property is that the resultant curtilage of the host bungalow would result in a significant reduction in private amenity space for the occupants. ‘Living conditions for

the occupants of 22 Downside would not be achieved in relation to secluded amenity space.' In addition it was stated that, 'the visit confirmed that it would be visually intrusive in the wider street scene, where neighbouring bungalows are generally set back a significant distance from the road.' 'It is clear also that when compared to the surrounding area, neighbouring plots would be more generous than that proposed, which would be true also of the resultant plot of the host dwelling.'

The current application seeks consent for a two bedroom detached bungalow with new vehicular access and hardstanding. The submission contains very little detail and information. Only the siting of the bungalow, its footprint and position of vehicular access are shown. How the host dwelling amenity space is to be used or the amenity space provision for the new dwelling is not identified. An additional plan showing levels and street scene have been received as requested by the case officer. This drawing shows that the ridge of the new dwelling will be lower than the adjacent property to the north and higher than the host dwelling. Therefore following the topography of the land, the proposal in this case is more modest in scale than the previous case and more traditional in form and design and use of materials.

Since the previous application was determined No. 22 has completed a side extension and loft conversion, (AWDM/0446/11 and AWDM/1210/14). The hedge has been removed at the front of the property and a low level wall remains. Directly to the side of the new extension the boundary fence adjacent to Tottington Way remains and the Conifer hedge encloses the rear garden. This new, completed extension is not shown on the block plan and the boundary treatment is not identified.

Consultations

West Sussex County Council: The **Highways Authority:**
West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. ADC/338/09 for a new 2/3-bed dwelling ('eco house') at rear (fronting Tottington Way) incorporating existing garage structure to which no objections were raised. This application was refused on non-highways grounds.
The refusal was appealed and subsequently dismissed. The proposal is for detached 2 bedroom bungalow with new vehicular access and hard surfacing. It is located on Downside and accessed via Tottington Way which is unclassified road subject to 30mph.
Access and visibility
A new vehicular access is proposed via Tottington Way. The proposed width of the access has not been demonstrated on the proposed plans. The applicant is advised that the access onto Tottington Way must be constructed to WSCC standards and the applicant should be aware that a maximum width of 6.4m is permitted for vehicle crossovers. Consequently, the access is subject to a licence and built to a specification agreed with the Local Area Engineer. A suitably worded condition is included below.
Visibility at the accesses appears sufficient and inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would

exacerbate an existing concern. Local mapping indicates that there is a street light within close proximity of the proposed dwelling. This has not been demonstrated on the proposed plans. The crossover works may require the relocation of the street lighting pole located on publicly maintained highway fronting the application site. These relocation works would need to be undertaken at the expense of the applicant. It is the responsibility of the applicant to liaise with the necessary parties to organise the moving of the street lighting pole. The pole will need to be relocated at least 1.5m from the location of the top of the ramped kerb of the proposed crossover.

The LHA note that the applicant has demonstrated pedestrian visibility splays for the proposed access. However, to the south of the access, these splays would not appear to be maintainable in perpetuity as this land is proposed to remain under the ownership of the host dwelling. The Local Highway Authority (LHA) would not anticipate that the lack of pedestrian visibility splays in this location would result in a highway safety concern. Manual for Streets (MfS) paragraph 10.6.1 states that 'Vehicle exits at the back edge of the footway mean that emerging drivers will have to take account of people on the footway. The absence of wide visibility splays at minor accesses will encourage drivers to emerge more cautiously - similarly to how vehicles pull out when visibility along the carriageway is restricted'.

Parking and turning
The plans indicate that one parking space will be provided for the proposed dwelling. Under the WSCC Car Parking Guidance (adopted August 2019), two car parking spaces would be anticipated for a dwelling of this size and location. As result, there may be some overspill parking within the highway. We would not consider that highway safety would be detrimentally affected through the proposed car parking provision. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view. A turn on site would be preferred, however there appears to be insufficient space to achieve this. However, other properties operate similar arrangements without evidence of highway safety concern.

Sustainability
The site is approximately a 2 min walk to the nearest bus stop, and approximately 15min walk to the nearest shopping centre. Bicycle ride to Shoreham train station is approximately 10 min. In order to encourage the use of sustainable transport methods the LHA recommends that covered and secure bicycle storage of one space to be provided to serve the new dwelling.
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 109), and that there are no transport grounds to resist the proposal.
Conditions
Access (details required, access provided prior to first occupation)
No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of road safety

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.
Informative
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. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/
Street light
Street Lighting/Telegraph Pole
The applicant is advised to contact the operator of the street lighting/telecommunications pole to organise the moving/relocation works.

Adur and Worthing Councils: Private Sector Housing EHO – No Comment

Drainage Engineers: - The applicant needs to assess if the 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.

Therefore in the absence of any ground investigation details or detailed drainage details in support of the application 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 DG 365 (2016) or similar 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.

Southern Water: - Standard conditions and informatives.

Representations

2 representations have been made by local residents (2 Tottington Way and 1 Tottington Way) objecting to the proposal. The following matters have been raised: -

- Reduce amenity space for no. 22 and insufficient amenity space for new build.
- Not shown that hedge will be removed.
- New build is outside the building line for Tottington Way too close to the road.
- Set a precedent for development.
- Only 1 parking space provided resulting in increased parking pressure on Tottington Way.
- Inaccuracies on the plans and submission
- Parallels of concern with the previously refused application.
- Extension of host property not shown.
- The plans don't give any details.
- Daylight/sunlight and out look affected.
- Forward of building line.
- Reference to quotes from Appeal Statement which apply here.

Relevant Planning Policies

Adur Local Plan 2017 Policy 2,3,15, 18, 20, 22
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats''
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

In principle residential development within the built up area may be appropriate however Policy 15 states that a range of issues, including the size and shape of the garden, impact on neighbouring dwellings, biodiversity, density and the character of the area will all be taken into account and each case will be determined on its own merits.

Density, Character and Visual Amenity

It is considered that despite the reduction in scale and footprint of the development from that previously proposed this scheme does still represent over development. This is due to the limited size of the plot and relationship with the adjacent buildings, in particular no. 22 Downside. Surrounding plot sizes are more generous therefore this development would be out of keeping.

The new dwelling is shown set forward close to the highway. This does not follow and existing pattern of development. The dwellings to the north in Tottington Way are set back from the highway. Although no. 22 and 28 Downsway to the south are set to the west adjacent to the highway these are both side elevations and this pattern is replicated on either side of the road. The proposed bungalow will represent an alien feature detrimental to the layout, character and appearance of the existing street scene and locality. The loss of amenity space to the rear of no 22 (discussed

below) is also detrimental to the visual amenity of the locality as a result of the development of existing garden land which as existing contributes to the character, density and layout of this area. As with the previous proposal any development to the rear of no. 22 would set a precedent for further development adjacent at no. 28 and also within close proximity to the site which would be detrimental.

Residential Amenity

The main properties to be affected are no. 2 Tottington Way to the north of the site and no. 22 Downside to the south. Although less affected, the proposed building will also be visible from other properties opposite in Tottington Way. The building is shown as being set forward beyond the front of no. 2 Tottington Way. However, there is some spacing between the dwellings therefore there would not be a significant detrimental impact in terms of residential amenity.

No. 22 Downsway and the new dwelling are in close proximity, with 11 metres between the rear of no. 22 and the side of the new dwelling, Development Management Standards state that this should be a minimum of 14 metres. This is also at a high level therefore there could be some overbearing impact however this is not deemed significant to warrant a refusal on these grounds. The main concern here in terms of residential amenity is the loss of amenity space at no. 22 and limited amenity space provision at the new dwelling.

There is not space on site to provide sufficient amenity space for both the host dwelling and new dwelling. Amenity space that is private and usable does not include driveway and parking areas or space to the front of the properties. The proposed development will give rise to rear garden areas of 112 metres squared for the host dwelling and 66 metres squared for the new dwelling. Although the requirement for the host dwelling is 100 square metres the garden is terraced and there are existing outbuildings which reduce the usability of the amenity space. The new dwelling will however give rise to insufficient garden space, the requirement is for a minimum of 85 metres squared, as set out in the Council's DM Standard. This garden is very shallow at 5.5 metres in depth. Neither of the gardens meet the requirement for 11 metre depth being 8 metres and 5.5 metres in depth as a result of the development.

Parking Safety and Drainage

There would be no concerns in relation to parking and highway safety. West Sussex County Council has been consulted and subject to conditions would have no objections.

The Council's drainage engineers have concerns with regards to surface run off and soak away and have advised that should consent be granted a drainage condition should be attached.

Recommendation

REFUSE

1. The size and shape of the plot and its relationship to existing properties are incompatible with existing development in the area and the proposal constitutes overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to Policy 15 of the Adur Local Plan and the NPPF.

2. The proposal would result in a reduction of amenity space at 22 Downside to an unacceptable standard which would be detrimental to the residential amenities of the existing dwelling. The new dwelling would also have insufficient amenity space provision and therefore both are contrary to Policy 15 of the Adur Local Plan and Development Management Standard No.1 'Space Around New Dwellings and Flats''

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

Proactive refusal

Case Officer: Hannah Barker Date: 24th September 2019

Authorised by: Date: