Development Management – Delegated Officer Report

Application Number: AWDM/1739/16 **Recommendation: APPROVE**

Site: Land North of 41 Old Barn Way Southwick

Proposal: Attached two storey 4 no. bedroom dwelling

Date of Site Visit: 13 January

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks full permission for the erection of a dwelling immediately to the north of 41 Old Barn Way. Planning permission was originally granted in 2014 (AWDM/1066/14) for a dwelling but this represents an enlarged proposal.

The application site is at the end of the cul de sac in Old Barn Way and represents the curtilage area of number 41 although the application site has now been fenced off. The area of land fenced is larger in area than the all of the existing residential plots which are in close proximity to the application site.

The application site slopes up slightly to the north where properties in Manor Hall Road are clearly visible, most particularly number 150 whose decking and rear garden can be seen from the application site. Numbers 152 and 154 are also adjacent to the application site but 152 is obscured by an outbuilding and 154 partly by a shed and some screening. To the east of the application site are garages, while to the west is Manor Court, a large residential block which is close to the rear boundary of the application site (just in excess of 3 metres). However, its main built from extends only as far as the existing number 41 and there is an open area to its northern side which would be opposite to the proposed new dwelling.

The application site sits to the north of a group of 5 existing dwellings. Number 37 projects out slightly to the rear and number 35 even more so, with an extension that appears to have been allowed on appeal following an application in 1999. There are some examples of rear extensions in the vicinity, Old Barn Way containing a number of similar clustered blocks, some of which have a stepped arrangement already.

Planning History:

Planning permission was granted for an attached dwelling in 2014 (AWDM/1066/14) following an earlier withdrawn application. The consent has not been implemented.

Consultations:

West Sussex County Council Highways

West Sussex County Council, as the Local Highway Authority (LHA), was consulted previously on Highway Matters for this location under planning application AWDM/1066/14 to which no objections was raised.

The proposal is for 4-bedroom dwelling attached to north of no. 41. Old Barn Way is an unclassified no-through road. The extent of highway within the road does not meet with the the site boundary although the footway is maintained. The informal parking area adjacent is not under control of the LHA. No allocated parking has been provided, from an inspection of local mapping the LHA do not anticipate that a highway safety concern would arise as a result of this although the LPA may wish to consider the increase of on-street parking from an amenity point of view.

I note from the plans that secure and covered bicycle storage is to be provided in the rear garden. Fishersgate Train Station is within 0.4 mile from the site. Options for sustainable modes of transport may result in residents not necessarily relying on the private car for all trips.

The LHA does not consider that the proposal for would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:
"A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

Technical Services

Thank you for the opportunity to comment upon this application, the site lies in Flood Zone 1 is unaffected by surface water flooding and has no history of flooding.

I was not asked to comment upon AWDM/1066/14.

The garden of the proposed property is large enough to accommodate a soakaway and the proposals include for the use of soakaways which is appropriate in this location.

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 DG 365 (2016) 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.

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.

Representations:

2 letters of objection have been received on the grounds of loss of light, overlooking and noise. Comment has also been received that the ecological report should be implemented in full and that the windows in the northern elevation should be obscure glazed.

Relevant Planning Policies:

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (March 2012)

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The principle of development has already been established by the previous permission and there are no subsequent changed circumstances which would result in a different conclusion as to the acceptability of an additional dwelling.

The main issue is that the property now extends 3 metres deeper into the site. The additional floorspace would not extend completely across the rear of the property as a 2 metre gap would be left to the southern boundary. The width of the extension is 4.5 metres.

The applicant's agent points out that permitted development rights were not withdrawn under the previous approval in terms of extensions (permitted development rights were withdrawn for any windows in the northern elevation as there were none previously proposed. The current scheme proposed 2 windows serving bathrooms). The agent states that a similar extension to that proposed could be built under permitted development (provided that a neighbour did not object).

As the current proposal has attracted objections, the permitted development argument perhaps attracts less weight and the consideration becomes one of amenity as would normally be the case. It remains, as identified in the previous planning assessment, that the gardens of the properties to the north are just over 15 metres in length and with a 2 metre gap provided to the northern boundary of the application site, the distance between the proposal and those neighbouring properties is about 18 metres. It is considered that it would be difficult to justify a refusal on such basis.

The additional rear projection does not extend to the southern boundary with a gap of 2 metres being maintained which it is considered will not result in an unacceptable impact upon the existing number 41. In any case, there appears to be an extension of similar nature to the south which was allowed on appeal.

There is still in excess of 10 metres in depth to the rear, western boundary and as the new property is not sited directly in line with Manor Court to the rear in any case, the additional depth is similarly not considered to result in a material impact to that building compared to what has already been permitted.

The application is therefore considered acceptable but it is considered that permitted development rights could now justifiable be removed for any further extension.

06 The windows in the northern elevation shall as installed be obscure glazed in accordance with details to be submitted to and agreed by the Local Planning Authority prior to any occupation of the dwelling hereby permitted and shall be non-opening above 1.7 metres from finished floor levels in the new dwelling and retained thereafter in accordance with the approved details.

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

07. Prior to the occupation of the dwellinghouse hereby permitted, the boundary treatments shall be erected on site in accordance with the approved plans.

Reason: *In the interests of visual amenity and to comply with saved policy AH7 of the Adur District Local Plan.*

08. All new hardstanding shall be of permeable/porous construction.

Reason: *To avoid exacerbation of flood risk by increase of surface water run-off in accordance with the National Planning Policy Framework.*

09 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.*

10 No development approved by this permission shall commence until full details for the disposal of surface water has been approved by the Planning Authority'

Reason: *To ensure the development is satisfactorily drained*

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

Case Officer: [redacted] Date: 30/1/2017

Authorised by: [redacted] Date: 30/1/2017

Recommendation

APPROVE subject to the following conditions:

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

Unnumbered Location Plan received 13 December 2016
Unnumbered Block Plan received 13 December 2016
Drawing No. 16/1176/01 rev A – Elevations and Floor Plans received 13 December 2016

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

02 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

03. The development shall proceed in accordance with the proposed reptile mitigation set out in the Reptile Mitigation Strategy of Greenspace Ecological Solutions Ltd (Report Number J20176), dated July 2014.

Reason: *To help conserve species that are listed as a priority for conservation under Section 41 of the Natural Environment and Rural Communities Act 2006 and are subsequently a material planning consideration under paragraphs 109 and 118 of the National Planning Policy Framework.*

04. Other than the choice of the colour white for the external render, the external materials and finishes of the development hereby permitted shall be completed to match in design, colour and texture those of the existing building 41 Old Barn Way unless otherwise approved in writing by the Local Planning Authority.

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

05. 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 shall be formed in the north side wall of the building hereby permitted.

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