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WORTHING BOROUGH COUNCIL
PLANNING SECTION
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Planning Department
Worthing Borough Council
Portland House
Richmond Road
Worthing
West Sussex BN11 1LF
For the attention of Jo Morin

WORTHING BOROUGH COUNCIL
- 2 JUN 2009
CONSENT GRANTED
SUBJECT TO CONDITIONS

22nd April 2009

Chris D

Dear Sir/Madam

40 LADYDELL ROAD, WORTHING, WEST SUSSEX
PLANNING APPLICATION FOR CONVERSION OF EXISTING PROPERTY INTO TWO DWELLINGS AND PROPOSED DEVELOPMENT OF TWO SEMI-DETACHED HOUSES

I am instructed by the my client, Mr M Vroobel, the owner of no.40 Ladydell Road, to submit a planning application for the conversion of the existing property into two dwellings and the development of two semi-detached houses on land adjoining the property.

Background

The Council will be familiar with the property and the two previous planning applications that have been submitted for its development. The first (Council ref : WB/06/1281/FULL) sought permission for the conversion and alterations to the existing house to provide two separate dwellings and the erection of three terraced houses on adjoining land. This was withdrawn in January 2007. The second (Council ref : WB/07/1252/FULL) sought permission for the conversion of the existing property into two dwellings and the development of two semi-detached houses on adjoining land. This was refused planning permission by the Council in December 2007 and an appeal against this decision was dismissed in August 2008.

In his decision on the appeal, the Inspector considered the proposal to be acceptable in all respects except for the car parking arrangements which he concluded would have an unacceptable impact on the character of the street and would detract from the quality of the street scene. Following this decision, my client and I have been working to address this concern and this new application represents the culmination of these efforts.

The Application Site

The application site is located within the settlement of Worthing and in close proximity to its centre. It lies on the eastern side of Ladydell Road at its junction with Dawes Avenue so that its northern boundary is formed by no.40 Ladydell Road, its western boundary fronts onto Ladydell Road, its southern boundary fronts onto Dawes Avenue and its eastern boundary is with no.1 Dawes Avenue. Both roads are entirely residential in character and accommodate a variety of building styles in the vicinity of the application site.

The Proposal and How it Addresses the Concerns Raised in the Appeal Decision

The Council will note that when compared to the previous planning application, the overall approach to the development of the application site has not been altered. Permission is still sought for the conversion of the existing house into two dwellings and the development of two semi-detached dwellings on land adjoining. Indeed, it should be stressed that the appearance and scale of the proposed new build elements of the scheme are identical to those in the previous scheme. This is deliberate and is in direct acknowledgement of the Inspector's conclusions that these elements of that proposal were entirely acceptable in all respects and having particular regard to the character and appearance of the surrounding area, the living conditions of occupiers of neighbouring properties and the proposed dwellings and relevant planning policy. Copies of the Design and Access Statement for this planning application and the Inspector's decision letter on the previous appeal scheme are enclosed with this application to support this case and assist the Council's decision making.

The current proposal does, however, represent a revision to the previous appeal scheme in order that the Inspector's concerns regarding the off-street car parking arrangements for that proposal are addressed. This has been achieved by reducing the level of off-street car parking proposed from two spaces per dwelling to one space per dwelling and re-positioning one of these spaces and their resultant access from the Ladydell Road frontage to the Dawes Avenue frontage. This amendment has directly addressed the appeal Inspector's concerns by ensuring that the distinctive and unifying element in the character of the street of planted front gardens behind boundary walls is maintained in the submitted proposals for the application site. In particular, the Council should note the following key elements of this proposal;

1. The 6 parking spaces side by side along the Ladydell Road frontage of the site as proposed in the appeal scheme have been reduced to 2 parking spaces;
2. To achieve this, the parking for the new build semi-detached dwellings is limited to one space per dwelling and the parking for one of the dwellings to be created in the existing property is relocated from a position fronting onto Ladydell Road to a position fronting onto and accessed from Dawes Avenue;
3. The length of retained flint wall fronting onto Ladydell Road under the proposal is increased from 19.2 metres in the appeal scheme to 22.7 metres in this proposal;
4. The impact of the remaining parking area for the two new build semi-detached dwellings is reduced by the introduction of a side boundary wall between these properties and by angling the front boundary wall into the site to create a greater sense of enclosure;
5. In place of the parking areas in the previous appeal proposal, planting is proposed in the gardens fronting onto Ladydell Road and behind the retained flint wall to ensure the character of the locality is maintained and the impact of the remaining parking areas is softened still further. This could be controlled by the Council via a condition attached to the planning permission for the scheme should it be granted; and
6. Block paving is proposed as the surfacing for the parking areas fronting onto Ladydell Road. This more sensitive form of surfacing material would further reduce the impact of the parking areas and, again, could be controlled by a condition attached to the planning permission for the scheme should it be granted.

In view of the significant changes that have been made to address the appeal Inspector's concerns regarding impact on the character and appearance of the area and the street

scene, it is concluded that the proposal as now submitted is acceptable with respect to this issue.

Parking

It is acknowledged that the Council has been concerned to ensure that any development of the site provides adequate on-site parking to meet the needs of its future occupiers and does not result in an unacceptable level of on street parking on surrounding streets. This matter has therefore been considered carefully, particularly in view of the fact that the level of parking proposed for three of the four dwellings in the scheme would be below the Council's maximum standard of providing two spaces per dwelling.

From our previous correspondence with the Council, we understand that the Council uses two criteria to determine the acceptable level of on-site parking provision in proposed developments – 1) The sustainability of the location and 2) The parking conditions in the vicinity of the application site (see the Council's letter to me dated 12th December 2008). These two criteria are therefore applied below to the current proposal.

The Sustainability of the Location

The application site is located close to and within a short walking distance of a range of local services and facilities. A short terrace of shops on Lyndhurst Road close to its junction with Ladydell Road is located 2-3 minutes walk from no.40 and includes a convenience store, a pub/restaurant and a launderette. This location also accommodates bus stops served by a number of regular bus services linking the area with Worthing town centre to the west and other settlements and services in the area.

The application site also lies within 750 metres of Worthing Hospital to the west (8 minutes walk from the appeal site), Worthing seafront to the south and East Worthing railway station to the north east. Worthing town centre with its wide range of employment opportunities, shops, services and facilities lies less that 1½ km to the west and the Town Hall at its centre can be reached within 15 minutes walking time. There are also five schools (Davison Church of England High School For Girls, St.Andrew's Church of England High School for Boys, Downsbrook Middle School, Our Lady of Sion School and St Mary's Catholic Primary School) within 1½ km of the site.

In short, therefore, the application site is in a sustainable location where a genuine range of alternatives to the use of the private car exist as a means of accessing key services and facilities. Further support for this can be found in the Council's own recent decision making. In its consideration of a recent planning application for the development of 3 x 3 bedroom houses at 27 Ladydell Road (Council ref : 08/0077/FULL) (directly opposite no.40 Ladydell Road), the Case Officer's Report acknowledged that the site was well positioned for access to rail and bus services. No doubt this influenced the Council's decision to grant permission for a total of 5 on-site parking spaces serving the proposed dwellings which represents a reduction compared to the maximum parking standard of two spaces per dwelling.

Similarly, it is noted that the Council's recent decision to grant planning permission for the conversion of nearby no.29 Windsor Road to provide 4 flats with a total of three on-site parking spaces (Council ref : WB/07/1338/FULL) also represented a reduction compared to the maximum standard but again, the Case Officer's report on the application acknowledged the site to be in a sustainable location with essential facilities within walking distance and

that therefore a more flexible approach to off-street parking should be applied, particularly where on-street parking is also available.

In this respect, there can be no doubt that the application site is in a sustainable location and therefore this, as it has done in other similar cases near to the application site, may influence the Council's application of the maximum parking standard to the proposed scheme.

The Parking Conditions in the Vicinity of the Application Site

On the recommendation of the Council in pre-application correspondence, a parking survey of all streets within 200 metres of the application site has recently been carried out by consultant highway engineer Allen Rollings. The methodology for this survey (including the survey times) was agreed in advance with both the Borough Council and West Sussex County Council as the highway authority. Copies of the report on the survey are enclosed with this application and confirm there is ample spare on-street parking capacity within 200 metres of the application site on weekdays and weekends – particularly within the Controlled Parking Zone (which includes Ladydell Road itself).

As in the case of the recent decision regarding no.29 Windsor Road, these findings should therefore also influence the Council's application of the maximum parking standard to the proposed scheme.

Indeed, when considered alongside the sustainability of the location, it becomes clear that there is justification for the provision of one car parking space for each of the dwellings proposed. Further, it should be noted that this approach is also supported by the County Council as the highway authority which has consistently advised us that it would not object to the provision of one parking space per dwelling proposed in the scheme in view of the sustainability of the location and the on-street parking capacity on local streets. The County Council has also pointed to national guidance and saved Structure Plan policy to justify this approach – particularly guidance in the Government's Planning Policy Guidance Note 13 : *Transport* (2001) which encourages local planning authorities to seek a reduced level of parking provision within developments and to not require developers to provide more spaces than they themselves wish (paragraphs 49 and 51). The approach also accords with saved Policy DEV5 of the Structure Plan that advises that development should not be permitted unless the level of parking is compatible with the need to encourage walking, cycling and use of passenger transport where this is a realistic alternative

Further policy support for the approach proposed in this application can also be found at paragraph 16 of Planning Policy Statement 3 : *Housing* that requires developers and local planning authorities to adopt a design-led approach to the provision of car parking space that is well-integrated with a high quality public realm and the requirement in saved Policy DEV1(a)(4) of the Structure Plan to reduce the dominance of cars within developments.

As identified earlier in this statement, the proposed reduction in car parking when compared to the appeal scheme would achieve exactly this.

Therefore, having regard to the sustainable location of the application site, the on-street parking conditions in the local area and relevant planning policy and guidance at national and Structure Plan level, it is clear that the proposed level of parking as identified in the

application is acceptable in all respects and would also ensure that the appeal Inspector's concerns regarding impact of the development of the site on the street scene can be addressed.

Loss of on-Street Parking

It is acknowledged that the proposed access points to serve the development will result in the loss of some on-street parking (estimated at 3 spaces). However, again, the results of the parking survey demonstrate that this will not have an unacceptable impact on the overall capacity of on-street parking in the vicinity of the application site given the considerable capacity that already exists throughout the working week and weekends.

It is also accepted that an amendment to the existing Traffic Regulation Order (TRO) for the Controlled Parking Zone that covers the section of Ladydell Road outside the application site will be necessary. On this point, the Borough Council should be aware that the highway authority has already been consulted about this and the process of the amendment commenced. The highway authority has also advised that it would not raise an objection on the grounds that the amendment to the TRO has not been completed. Indeed, it has stressed that the process of amending the TRO or any issues associated with it, cannot, in itself, be a reason for refusal of the planning application by the Borough Council.

Conclusions

This revised planning application has addressed the only issue of concern raised by the Planning Inspector appointed to determine the recent appeal on the same site. By reducing the level of on-site parking proposed and relocating one parking space to the Dawes Avenue frontage, the impact of the parking and access arrangements for the development on the character and appearance of the area and the street scene itself has been significantly reduced. In particular, this approach has enabled more of the existing flint boundary wall on the Ladydell Road frontage of the site to be retained and the application seeks to further contribute to the character of the area by the introduction of planting in the gardens fronting onto Ladydell Road as indicated on the submitted site plan.

The information submitted with this application demonstrates that this reduction in on-site car parking provision will also be acceptable from a highways perspective given the accepted view that the application site lies in a sustainable location and the results of the parking survey that demonstrate there is ample on-street parking on local streets on weekdays and at weekends. As confirmed above, this approach is also supported by policy and guidance at national level and saved policy within the West Sussex Structure Plan.

In the absence of any other concerns raised by the Planning Inspector when he determined the previous appeal, and given the similarity of the current proposal in all other respects to that appeal scheme, planning permission should now be granted by the Borough Council for the proposal.

The Application

In support of the planning application, please find enclosed four copies of the following documents;

- Completed planning application form and Certificate A;

- PD01 : Site Location Plan;
- Existing elevations and floor plans of the existing house at the property;
- Proposed floor plans and elevations for conversion of the existing house;
- Proposed Elevations for the New Build Semi-Detached Houses and Site Plan;
- Proposed Floor Plans for the New Build Semi-Detached Houses and Street Scene drawings;
- Design and Access Statement;
- Appeal decision for the previous scheme on the application site; and
- Parking survey report produced by Allen Rollings.

A cheque for £1,340 in payment of the planning application fee made payable to Worthing Borough Council is also enclosed.

A Flood Risk Assessment (FRA) is not included as part of this application. As the Council will be aware, this was not required at the time of its consideration of the previous application and no objection was raised by the Environment Agency to that proposal on flood risk grounds. Indeed, the advice from the Environment Agency at that time confirmed that the identified floodplain in the vicinity of the application site was inaccurate. Correspondence with both the Council and Environment Agency has confirmed that this remains the case now and that no FRA is required to support this application. Email correspondence with the Environment Agency confirming this is also enclosed with this application.

I look forward to receiving confirmation of the registration of the planning application in due course but should the Council require any further information to assist its consideration of the proposal please do not hesitate to contact me.

Yours faithfully

[redacted]

Chris Wojtulewski BA (Hons), MTP, MRTPI
Partner
For and on behalf of Parker Dann LLP
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Encl.