Mr Chris Wojtulewski
Mr Mark Vroobel

WB/09/0340/FULL
SEL
JMO

Location : 40 Ladydell Road

Proposal: Conversion of existing property into two dwellings and proposed development of two semi-detached houses.



Not to Scale

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1. THE PROPOSAL AND THE SITE

The application property comprises a detached, 2-storey, 4-bedroom Victorian/Edwardian house occupying a regular-shaped corner plot on the north side of the junction of Ladydell Road with Dawes Avenue. The dwelling occupies a wider than average plot with a north side garden. It has been extended by a 2-storey extension on the east side (WB/91/0736 refers) and on the north side by a single-storey, flat-roofed addition. The dwelling occupies a lower ground level than both the adjacent highway and other properties in Ladydell Road. The boundary onto Ladydell Road is marked by an attractive flint and brick dressed wall approximately 1 metre high, incorporating a pedestrian opening with taller brick piers on either side. The

site boundary onto Dawes Avenue consists of a less attractive, taller, blockwork wall. There is a drive alongside the eastern site boundary with provision for approximately 3 vehicles, accessed from Dawes Avenue. The surrounding area is predominantly characterised by semi-detached houses from the 1930s, but also includes short terraces of houses and some detached houses and bungalows.

Permission is sought to vertically sub-divide the existing dwelling into one 2-bedroom and one 3-bedroom dwelling (involving the demolition of the existing single-storey extension), together with the erection of a semi-detached pair of 2½-storey, 3-bedroom houses in the garden area to the north. The proposed semi-detached houses would front onto Ladydell Road, with the main 2-storey front elevation stepped back marginally from the main front wall of No. 40, but sited approximately 0.5 metres forward (west) of the main front elevation of No. 44 to the north. The proposed pair of dwellings would have a roughly T-shaped footprint, having an overall width of 9.4 metres and an overall depth of 10.1 metres. The northern-most dwelling would be sited a minimum 1.5 metres from the common boundary with No. 44, and the southern-most dwelling a minimum 2 metres from the north side wall of No. 40. The proposed new houses would not extend so deep into their respective plots as the existing buildings on either side to the north and south. Each would be provided with its own rear garden having depths of 9 metres and 8.7 metres respectively. The new houses would have part-hipped, plain-tiled roofs with ridge heights of 8 metres. They would have a rendered finish, above a brickwork plinth with feature tile-hung, double bay windows and porches recessed under a tiled, lean-to roof. The proposed windows would consist of white, uPVC sliding sashes. Each dwelling would have a flat-roofed dormer (1.45 metres wide and 1.4 metres tall) on the front roofslope and a rooflight window on the rear roofslope. The new dwellings would each have one parking space within their front gardens with access from Ladydell Road.

As part of the proposed conversion of No. 40 into 2 dwellings, it is proposed to re-render the existing grey, pebble-dashed walls in smooth render, painted a colour to be agreed, and re-tile the roof in plain tiles to replace the existing profiled, concrete tiles. Other external alterations include blocking up a window and door in the north elevation, the creation of an additional ground-floor window and replacement of a sash window with French doors in the south elevation, and the creation of a recessed porch with a lean-to roof to the entrance of the western-most unit, fronting Ladydell Road. The converted dwellings would each have an area of amenity space to the front and side and would each be served by one parking space, one utilising part of the existing drive adjacent to the boundary with No. 1 Dawes Avenue, and the other consisting of a new access off Dawes Avenue.

The application is supported by a parking survey of on-street parking on roads within 200 metres walking distance of No. 40 Ladydell Road, carried out by the applicant's highway consultant. The survey, undertaken on a representative weekday and on a Saturday during March, at various times throughout both days, noted the parking restrictions in force, the number of spaces available, and the number of spaces occupied.

A mature ash tree in the front south-west corner of the existing plot is subject to a Tree Preservation Order, No.3 of 2007.

2. RELEVANT PLANNING HISTORY

A similar application for the conversion of the existing building into one 3-bedroom and one 2-bedroom dwelling, plus the erection of a semi-detached pair of 3-bedroom houses in the north side garden was refused by the Committee in December 2007 on the following grounds (WB/07/1252/FULL refers) :-

"The proposal, by reason of its scale, design, siting and proximity to No. 40 itself, would result in an cramped, incongruous and unduly prominent development within the streetscene and an overdevelopment of the site with its consequent problems including a poor environment for future occupiers, large areas of hard-surfacing and loss of the front flint boundary wall which would be unsympathetic with the character of the surrounding area. As such, the proposal would be detrimental to the streetscene and the visual amenities of the area, and is contrary to saved policies H13 and BE1 of the Worthing Local Plan 2003 and saved policies CH1 and DEV1 of the West Sussex Structure Plan 20001-16."

A subsequent appeal was dismissed on the grounds that the proposed parking area, consisting of a row of six spaces side by side along the Ladydell Road frontage of the site, would be a harsh and intrusive feature that would be incongruously at odds with the overall character of the street and substantially detract from the quality of the streetscene.

In terms of the current proposal, the siting, size, internal layout, design and appearance of the proposed new semi-detached dwellings and the proposed sub-division of No. 40 are identical to the previous scheme WB/07/1252/FULL. Only the layout of the frontage parking areas has been altered in order to address the ground for dismissing the above-mentioned appeal. In particular, the six parking spaces previously proposed side by side along the Ladydell Road frontage has been reduced to 2 parking spaces, with the level of parking provision for the proposed new build semi-detached houses reduced from 2 on-site spaces (4 in total) to 1 space each. The level of parking provision for the two dwellings created by sub-dividing the existing building has also been reduced from 2 on-site spaces (4 in total) to 1 space each, both accessed from Dawes Avenue. As a result, the submitted drawings show the length of the retained flint wall fronting onto Ladydell Road to be increased from 12.3 metres to 22.4 metres (including the new splayed sections), although the drawings do not accurately show the existing pedestrian opening to No. 40.

3. APPLICANTS DESIGN AND ACCESS STATEMENT

The applicant has submitted the following Design and Access Statement:-

"*Design*

Use and Amount of Development

Permission is sought for 1 x three bedroom dwelling and 1 x one bedroom dwelling in the converted existing dwelling on the site and 2 x three bedroom semi-detached dwellings on land adjoining.

Layout

Vehicle and pedestrian access would be from Dawes Avenue and Ladydell Road. Each dwelling would be provided with its own parking space and its own private amenity spaces. The new build semi-detached properties would be located in the large garden space to the north of the existing dwelling and would replace the existing unattractive extension to that property which would be demolished.

Scale

The footprint of the development is approximately 85 sq m (the footprint of the existing extension to the property that would be demolished is 36.8 sq m). The proposed semi-detached properties would be of the same height as the existing two storey building on the site and, taking into consideration the change in ground levels would be of an equivalent height to the properties to the north. The footprint of the proposed semi-detached properties would be smaller than the adjacent properties but this would not be inappropriate given that there is already great variety in plot and building sizes in the surrounding area.

Landscaping

Car parking serving each dwelling has been kept to a minimum to preserve the landscaped garden areas and flint boundary wall facing onto Ladydell Road. Extensive new planting is also proposed and the tree covered by the Tree Preservation Order will be retained. The impact of the proposed parking area for the two new build dwellings would be 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. Block paving is proposed as the surfacing for the parking areas fronting onto Ladydell Road.

Appearance

The external appearance of the existing building on the application site will be enhanced by the demolition of the existing inappropriate side extension, the rendering and painting of the walls and the re-tiling of the roof with plain roof tiles. The other existing features of this property will be retained in their entirety. The appearance of the new build semi-detached housing draws on some of the key design features that have been repeatedly used in the local area to tie it firmly into this environment. These include the use of gable topped bay windows running from ground to first floor in the front elevation, porches for the front doors and the use of rendered walls and plain tiles for the roof. Dormer windows are included but these are not an unusual feature in the local area and add interest to the development and particularly its roof.

Access
The application site is located in a sustainable location with good access by a choice of means of transport to local services and facilities. On-site car parking is provided at a ratio of 1 space per dwelling. This is appropriate in view of the sustainable location of the application site and the availability of ample on-street parking on surrounding streets. This arrangement will also ensure that most of the flint wall fronting onto Ladydell Road can be retained along with the garden areas behind it. The proposals provide a step-free access into and across the application site to assist those with mobility problems."

4. CONSULTATIONS

The comments of the **Highway Authority** are awaited.

The comments of the **Environment Agency** are awaited.

Southern Water has no objection subject to a condition requiring a scheme for surface water disposal to be agreed and implemented.

The **Executive Head of Health, Housing and Community Safety** has no objection subject to conditions restricting hours of working, requiring a dust suppression scheme to agreed and implemented during demolition/construction, plus a pre-cautionary condition requiring the investigation and remediation of any contamination found to be present on the site.

5. REPRESENTATIONS

At the time of writing 5 letters of representation have been received from the residents of No. 25 Ladydell Road, Nos. 4, 6 Dawes Avenue, and Nos. 8, 20 and 22 Dawes Close, although the neighbour notification period has not yet expired. The concerns raised are summarised below:-

i) Proposal dwellings are out of keeping with the surrounding area;
ii) Proposal will lead to more overcrowding and overdevelopment;
iii) Additional parking will create more problems and congestion in nearby roads;
iv) Would not object to the conversion of the existing house into 2 units without the additional new development;
v) The area is under siege by parked vehicles belonging to people working at the hospital or dropping off to nearby Schools;
vi) Access to the bungalows in Dawes Close is frequently cut off by inconsiderate parking and this problem will become worse;
vii) The present character of larger dwellings and gardens in Ladydell Road should be retained;
viii) The site is low and has a history of flooding and the levels of the new houses should be raised.

Members will be up-dated at the meeting on additional representations received.

6. PLANNING ASSESSMENT

The Regional Spatial Strategy, comprising The South-East Plan 2006-2026 was published in May 2009. The SE Plan replaces the West Sussex Structure Plan 2001-16, and now provides the strategic framework against which development proposals within the South East Region will be considered. However, in recognition of the still emerging status of the Local Development Framework, the Local Plan policies 'saved' by the Direction issued by the Secretary of State for Communities and Local Government continue to form the local planning policy framework. As such, the application should therefore be considered in relation to SE Plan Policies CC1, CC2, CC4, CC6, H5, H6, BE1 and SCT5 and saved Local Plan Policies RS7, BE1, H10, H18 and TR9. National Government Policy in the form of the relevant Planning Policy Statements and Guidance constitute a material consideration in the determination of the proposed development (in particular PPS1, PPS3, PPG13 and PPS25).

As before, the main issues in this case are the principle of development; the design and impact on the streetscene; the effects on the living conditions of neighbouring residential occupiers; and access and parking considerations.

The Principle of the Proposed Development

The principle of more intensive residential use of the existing urban area is supported by national, regional and local planning policy. The proposal would make more efficient use of existing brownfield land and would assist toward achieving the target for new dwellings in Worthing set by policy SCT5 of the SE Plan. The proposed scheme would result in a residential density of 59.2 dwellings per hectare which is well above the minimum threshold of 30 dwellings per hectare set out in PPS3, although density alone is not a determining factor. The acceptability of any specific scheme depends on its particular circumstances and these are considered below.

The Design and Impact on the Streetscene

In refusing the earlier proposal the Committee considered that the proposed semi-detached houses, due to their scale, design, siting and proximity to No. 40, would appear cramped and incongruous on the site. It was considered that having regard to the character of existing development in Ladydell Road and Dawes Avenue, the proposal would fail to reflect the existing well-spaced characteristics of surrounding buildings. In terms of design, it was considered that the proposed semi-detached houses would have a contrived, top-heavy appearance, with the front dormers adding to the discordant and prominent appearance of the dwellings within the streetscene. In addition, it was considered that the confined juxtaposition of buildings in relation to each other would provide a poor standard of accommodation for the future occupiers of the new dwellings, resulting in 'gloomy' and poor quality amenity spaces for the family dwellings they would serve.

In contrast, although subsequently dismissing the appeal, the Inspector considered the variety of built forms and styles, varied plot widths and spacing between buildings to be a significant feature of the overall character of Ladydell Road. He considered that there would be a "*generous gap*" between the proposed new houses and No. 44 to the north, and whilst the southernmost of the pair would be close to No. 40 it "*would not be at odds with the overall pattern of development in the street, and would not appear cramped in relation to the neighbouring buildings.*" In addition, he states:- "*The ridge line of the proposed new houses would be lower than the dwellings to the north. However, taking into account the lower floor level, I consider their scale would be acceptable, particularly as the roof apex would align with that of No.40. I also consider the overall mass of the proposed houses would strike an acceptable balance between the pair of dwellings to the north and the lesser bulk of No. 40 to the south.*"

In terms of design, the Inspector noted a mix of roof forms in the vicinity of the site, and considered the part-hipped roof form to be acceptable in this context. He also considered that whilst front dormers are not common in Ladydell Road, they would not appear unacceptably intrusive in the surrounding context of mixed roof shapes and strong gable features at roof level.

The recent appeal decision in respect of the previous application (WB/07/1252/FULL), and more specifically the comments of the Inspector in finding that the scale, mass and design of the proposed new dwellings did not conflict with the relevant saved Plan policies, nor with Government guidance contained within PPS3, carries significant weight as a material consideration in the determination of the current application which proposes an identical form, design and appearance of building. The current proposal will still necessitate the removal of an 8.5 metre wide section of the existing flint wall fronting Ladydell Road in order to accommodate the proposed on-site parking provision and associated pedestrian visibility splays. However, it is considered that the visual impact of the new opening within the streetscene would be minimised by sub-dividing the front garden areas with a side boundary wall as well as the introduction of larger areas of planting behind the retained elements of flint wall. The use of block paving to surface the parking areas would result in a more domestic, suburban appearance (as opposed to tarmac). On balance, in your officer's opinion, the combination of these measures associated with the reduced amount of on-site parking satisfactorily addresses the ground for dismissing the previous appeal such that it would be now difficult to argue the proposal would seriously detract from the quality of the streetscene. However, it is worthy of note that in granting permission for the redevelopment of No. 27 Ladydell Road (opposite the site) to provide a detached house and a pair of semi-detached houses, Committee resolved to delete the on-site parking provision serving the proposed two 3-bedroom semi-detached houses, enabling the retention of the flint wall fronting Ladydell Road and the existing on-street parking provision within the highway (WB/08/0077/FULL refers).

It is considered that the proposed new parking space in Dawes Avenue is sufficiently removed from the preserved ash tree in the south-west corner of the plot that the tree is unlikely to be seriously affected. However, the

comments of the Council's arboricultural officer are currently awaited, bearing in mind the difference in ground levels.

Impact on the Amenity of Neighbours and Living Conditions of Future Occupiers

The relationship of the proposed new build houses to the neighbouring dwellings to the north and east. No. 44 Ladydell Road to the north has several south-facing windows within its south flank wall which overlook the site (a kitchen window and door on the ground floor and a landing and bathroom window on the first-floor). As before, the proposed new dwelling would be sited a minimum distance of 1.5 metres from the north site boundary. The windows in the flank wall of No. 44 are sited towards the rear and are separated by the width of a driveway from the common boundary. The proposed development would clearly affect the existing open outlook from these windows. However, having regard to the stepped-back footprint and reduced scale of the rear outrigger of the proposed new dwellings, sited approximately opposite the kitchen window and door, it would be difficult to substantiate refusal on grounds of a significantly overbearing impact or overshadowing. The retention of the mature landscaped border adjacent to the northern site boundary would also help to 'soften' the visual impact of the proposed buildings.

As before, it is considered there is adequate separation distance between the rear of the proposed new build dwellings and No. 1 Dawes Avenue, a bungalow, to the east. Similarly, there would be no adverse amenity impacts arising from the conversion of the existing building.

In terms of the adequacy of amenity space provision, the appeal Inspector did not support previous concerns that the configuration and relationship of existing and proposed buildings would result in unacceptably 'gloomy' and small amenity spaces to serve the proposed family accommodation.

Access and Parking

The proposed level of on-site parking provision of 1 space per dwelling (4 in total) would not exceed the maximum parking standard of 8 spaces to serve the proposed four dwellings. This level of provision is considered adequate having regard to the relatively sustainable location of the site which is within a short walking distance of a range of local services and facilities, including a small parade of shops on Lyndhurst Road to the south, Worthing Hospital located 750 metres to the west, East Worthing rail station to the north-east and the full range of employment opportunities provided by Worthing town centre. The submitted drawings do not show any specific provision for cycle storage, although it is considered there would be space for provision to be made for cycle storage within a shed within each of the small garden areas. The proposed parking layout would result in the loss of 2 on-street spaces within the CPZ within Ladydell Road, and the likely loss of the first on-street space beyond the double yellow lines in Dawes Avenue (outside the CPZ). However, the results of the parking survey undertaken by the Applicant's consultant demonstrates that on the representative days surveyed, there was ample spare on-street parking capacity within 200 metres walking distance of

No. 40 Ladydell Road to accommodate the potential demands of the proposed residential redevelopment of the site and the potential loss of some adjacent on-street capacity. The only exception to this in the area immediately adjacent to the site was for a short period in the weekday afternoon coinciding with the School-related 'pick up' time. At other times the survey demonstrated a spare capacity of at least one-third of the 18 available spaces within the adjacent CPZ closest to No. 40 Ladydell Road (indentified as area 'E' in the survey).

The loss of some existing on-street parking capacity would not, therefore, justify refusal on highway grounds. The resulting alteration to the CPZ would require an amendment to the TRO in Ladydell Road (by the highway authority), but would not in itself provide a justification for the refusal of planning permission. The applicant indicates that the amendment procedure has commenced (but has not been completed).

Thus, subject to the comments of the highway authority on highway safety issues in connection with the proposed new accesses, it is considered the proposed level of parking provision is adequate in this edge of centre location, within walking distance of a range of services and facilities and accessible to public transport, and would not lead to an unacceptable increase in pressure for parking on the surrounding streets or inconvenience to existing residents.

Other Issues

At the time of the previous application, neighbouring occupiers raised concerns about the susceptibility of the site to flooding. At that time the Environment Agency stated that a Flood Risk Assessment (FRA) was not required as the site did not lie within a designated flood risk zone and the problems arose as a result of rainfall. Nevertheless, the Council's Principal Engineer commented that in the light of the more intense storms of recent years coupled with high ground water levels, in the event of approval a condition should be imposed requiring a detailed scheme for the disposal of surface water on the site in accordance with BRE Digest 365 (1991) criteria.

Since then the Council's Strategic Flood Risk Assessment (SFRA) has been published which identifies that the site is at risk from tidal flooding for the 1 in 200 year storm (assuming there are no defences in place), but is outside the area at risk of flooding in 2106 (even should the sea defences be breached). Although the risk of flooding from the sea and rivers is considered to be low, clarification has been sought from the Environment Agency on whether a FRA should be been sought. Members will be updated at the meeting. The Environment Agency has confirmed that the main source of flooding is likely to be from surface water run-off. This supports verbal representation received from neighbours that the site flooded following rainfall in Spring 2009.

Conclusion

No new issues have been identified since the appeal decision and the applicant has now satisfied the Inspector's concerns regarding the visual impact of the previous proposed parking area across the Ladydell Road frontage and, on this basis, it is recommended that permission be granted

subject to the Environment Agency being satisfied in respect of flood risk and subject to conditions.

7. RECOMMENDATION

THAT SUBJECT TO THE ENVIRONMENT AGENCY BEING SATISFIED ON THE ISSUE OF FLOOD RISK, PLANNING PERMISSION BE GRANTED SUBJECT TO:-

1. C1AREV Standard revised full condition.
2. C4B Retain remaining flint boundary wall fronting Ladydell Road, and other walls and fences to be agreed (to include details of piers and dressings) and implemented before occupation.
3. C5B Parking to be provided before dwellings are occupied
4. C5K Secure, covered cycle parking to be provided before dwellings are occupied.
5. C6A Provide accesses.
6. C6D Provide pedestrian visibility at accesses.
7. C6K Parking unloading facilities to be agreed and provided during construction.
8. C6L Materials and plant storage area to be agreed and provided during construction
9. C7C No extensions to dwellings without consent
10. C7E Dust suppression scheme to be agreed and implemented
11. C7G Limitation of hours of construction
12. C8A Hard and soft landscaping scheme to be agreed, to include planting within front garden areas.
13. C8D Agree tree protection measures.
14. C9A Materials and samples/external finishes to be agreed before construction.
15. C9I Agree window details
16. C12B First-floor window in north elevation of new build house to be obscure-glazed and fixed shut (except for fanlight).
17. Windows to be blocked up in matching materials/finishes.
18. C13L Sustainable design measures
19. Precautionary contaminated land
20. Agree finished floors levels of new building dwellings in relation to existing ground levels
21. C12G Surface water drainage to be agreed

8. BACKGROUND PAPERS

Comments of the Highway Authority
Comments of the Environment Agency
Comments of Southern Water
Letters of Representations from Members of the Public