Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0795/16

Site: **Bretherens Meeting Room East of First Avenue Lancing**

Proposal: **Demolition of Meeting Hall building. Erection of 2 no. 3 bed detached bungalows with front dormers, each with its own garage together with fencing to front boundary and associated hard and soft landscaping**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is a disused detached meeting hall building with parking surrounded by the rear gardens of mostly modern, detached and semi-detached houses and bungalows in a residential part of Lancing. It is accessed by a long, very narrow lane from First Avenue, which is used to access rear garaging for houses on the neighbouring roads.

The proposal consists of:-

- 2 no. 3 bed detached half hip roof bungalows with front dormers, each with its own garage and surface parking space (3 spaces each). Each bungalow to measure (at max) 5.5 metres in height, 10 metres in length, and 8.2 metres in width
- Close boarded fencing along front boundary measuring 1.8 metres in height at max dropping to 1.2 metres.

Relevant Planning History
ADC/0068/07
Redevelopment of meeting hall with 5 houses (2 three-bedroom and 3 two-bedroom) (outline with siting and access details)
Withdrawn 21-03-2007

ADC/0381/07
Demolition of Meeting Hall and erection of two 3 bedroom houses and three 2 bedroom houses
Refused 22-08-2007
Appeal Dismissed 17-10-2008

ADC/0717/07

Demolition of Meeting Hall and erection of 4 semi-detached houses (2 three-bedroom and 2 two-bedroom) with access drive/turning head and 7 parking spaces (outline with access and layout details)
Withdrawn 10-03-2008

ADC/0095/09
Demolition of Meeting Hall and erection of 2 semi-detached bungalows and one detached chalet bungalow (outline including access and layout details)
Refused 24/06/09
Appeal Dismissed 11-11-2009

Consultations (summarised)

Lancing Parish Council: *No objection*

Southern Water: *Requires formal application for connection to public foul sewer. Attach informative/ The Council's technical staff should be asked to comment on adequacy of soakaways to dispose of surface water from proposed development.*

Highways England: *Do not offer any objections to the proposal.*

West Sussex County Council Highway Authority: *Consulted previously on Highway Matters for this location. Most recent application under ADC/0095/09 was for 3 x bungalows. This raised no highways objections but was refused by the Local Planning Authority (LPA) and an Appeal dismissed. Previous schemes include a development of 5 x dwellings but were refused on highway safety grounds where the lack of car parking caused a concern. The current proposal is for 2 x detached 3-bedroom chalet bungalows each with a single garage. The site is accessed via a private access road that meets with the publically maintainable highway approximately 95 metres to the west (First Avenue – 'C' classified and subject to a 30mph speed restriction in this location).* ***Access*** *The access road is single width and would not allow for the passing of two opposing cars in places. However, it does serve a number of existing properties and is a through road (joins with the A27 to the north - maintained by Highways England). It is not considered that an additional two dwellings would cause a significant increase in traffic movements to a degree that would pose a highway safety concern. Furthermore, the access is wide enough to be served by Refuse and Fire Appliance, as must be the arrangement with existing properties accessed via this private access road. From an inspection of the plans it would appear that some works to the existing boundary with the private access road will be carried out to provide two separate vehicular access points into the site. The applicant should gain the permission of the proprietor of the private road for the access works. The access point serving the west dwelling is approximately 2.5 metres wide. The access for the eastern dwelling is 3 metres wide but does show access gates at approximately 2.1 metres wide at its entrance. The applicant may wish to consider the practicality of manoeuvring through this space as a usual standard minimum of 2.4m would be used for a parking bay/access.* ***Parking*** *Two off street car parking spaces per dwelling have been allocated. This meets with what the WSCC Car Parking Demand Calculator envisions for a development of this size and location. The garage for the western bungalow does not meet with the required dimensions of 3m by 6m internally to be counted toward parking provision. The applicant should modify the garage dimensions to ensure that*

this space can be counted toward parking provision and also provide sufficient space for secure and covered cycle storage. ***Turning*** *A turn on site is not achievable. Although this would be preferential it should be taken in to account that nearby properties share a similar arrangement. From an inspection of local mapping the garages opposite the site also do not have a turn on site facility. It would be difficult to substantiate a highways reason for refusal on these grounds. The LHA is not aware of recent accident data within the past three years along the private road. There are no known issues with reversing on to the road in this location.* ***Sustainability*** *The site is situated in a sustainable location within walking distance of a range of local amenities and services. Bus stops and Lancing Train Station are within walking distance of the site along street lit footway links. Provided the applicant amends the garages to ensure sufficient space cycle storage could be accommodated within these.* ***Conclusion*** *The LHA do not wish to raise any highways concerns to the proposal. However the applicant should address the size of the garage buildings to ensure that they meet WSCC required standard. The applicant may also wish to utilise the entire width of the 3m access serving the eastern bungalow. Please ask the applicant for these amendments and re-consult.*

Re-consulted on requested further information regards car parking arrangements and Refuse Collection. ***Car Parking*** *The western most single garage is not quite 3m wide. It also should be set back so that 4.8 metre length is available fronting it for another car, otherwise a car could overhang on to the private access road causing obstruction. Details of this can be secured via condition. It is appreciated that the fence will be lowered to 0.6 metre either side of access to visitor parking. It would be beneficial to demonstrate this either side of the access to the eastern most dwelling also. The entry and exit manoeuvre at this angle to the visitor parking area does appear restrictive without a wider opening; however, the LHA could not substantiate highway safety reason to resist this arrangement.* ***Refuse Collection*** *The applicant has clarified that bins can be positioned on western end of strip of land within their ownership in vicinity to where bins from Dorset Lodge are currently collected. This area has sufficient space for a turn on site and it is understood is currently used for waste collection. Alternatively bins will be placed adjacent to new dwellings. It is presumed that a Refuse Collection vehicle would reverse back to the Dorset Lodge turning area in this scenario. Manual for Streets Paragraph 6.8.9 states that as part of Building Regulations residents should not be required to carry waste more than 30 m (excluding any vertical distance) to the storage point and waste collection vehicles should be able to get to within 25 m of the storage point. The applicant may wish to bare this in mind although from a highway safety point of view the LHA are satisfied with the proposed Refuse Collection arrangements.* ***Conclusion*** *On balance the proposal is a reduction in residential units compared to previous planning history at the site, to which the LHA raised no objections. From a highway safety and capacity point of view the LHA would not raise grounds to resist the proposals. If the LPA are minded to approve the application the following conditions should be secured: Car parking space (details required) No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use. 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 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. Construction plant and materials No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction. Reason: To avoid undue congestion of the site and consequent obstruction to access. ***INFORMATIVE*** *The applicant is advised to contact the proprietor of the private access road to obtain formal approval to carry out the site access works.*

Adur & Worthing Councils Environmental Health team: *No adverse Environmental Health comments*

Adur & Worthing Councils Waste Strategy Manager: *have reservations about this application. 62a Grinstead Lane is serviced via an access road from the main road and the resident wheels bins down. I am not sure if this access road would be available to the new houses but if it is we would be happy for the same arrangement as 62a. If this access is not available we would need to get the residents to take their waste to the other end of the access road where it meets First Avenue. We cannot access the site with a vehicle as it is too narrow. The good news is that standard bins could be employed.*

Representations (summarised)
Objections received from occupiers of 34, 40 & 38 Grinstead Lane, 8, 14 & 16 Orchard Way, and 24 & 32 Eighth Avenue: *forms state no protected and priority species. However believe badgers and bats inhabiting this site. During the last few months we have had badgers and bats visiting our garden. The above site is undisturbed and makes the perfect habitat for them and other wild animals. Understand access to proposed properties is a narrow driveway where no room for turning of large vehicles. Problem for emergency service vehicles who would have no access to these homes. Fire and ambulance services should be consulted formally. In recent years there was a fire in existing premises and fire service had to run hoses a long way from the First Avenue to extinguish it. They could not access the site with their fire tender. As access to site is difficult this will also make waste collection very awkward. Proposal is to put waste bins for collection on a green strip immediately west of the site. This means operatives must walk at least 150 yards (approx.) to pick up and return them their waste truck. The truck would not want to enter and reverse up 150 yards. Also its totally impractical for residents living there to tow their bins up to 1st Avenue and then bring them back when emptied. Without doubt, the Adur waste manger should also be consulted. My neighbours and I have noticed a lot of bat activity around our gardens in recent months and suspected site has become habitat for them. Possible that other wildlife (there has been badger activity in nearby gardens this year – which also new to us) could now be inhabiting area. Signifies need for ecology report before any further action taken as protected species. In interests of public safety, conclude this application be brought to attention of fire and ambulance services along with waste manager. Examination of area by an ecologist required to ensure duty of care as required by DEFRA. Privacy taken away. Isn't proper road. Unmade narrow track. Noise and fumes from motor vehicles will affect our health. My husband and I are senior citizens and*

suffer ill health as it is. A planning application was refused in 2009 and appeal dismissed in Nov 2009, and nothing has changed in the location, how can planning permission be submitted again? It is accepted the number of dwellings has decreased slightly. The reasons for dismissal are still applicable surely. This is the third application following previous two dismissals. Some residents of Eighth Avenue paid to have section from First Avenue up to end of my garage constructed of tarmac. My fear is this will be used as an alternative access and this road will not withstand heavy vehicles nor construction equipment needed for the development. Concerns for damage to opposite garages and standings during construction. My garage directly opposite westerly building and angle for turning into my garage restricted. Plan seems to suggest a fence which will make access to my garage almost impossible. No additional parking for visitors of these buildings and my garage in constant use. Parking is issue in area, therefore I can see potential problems for the future. Additional properties will increase risk of flooding. Have a privacy issue as removing the existing trees will allow the CHALET bungalow window to be overlooking my property. First Avenue, Eighth Avenue, Orchard Way and even Orchard Avenue have traffic and parking problems now. My original view of trees and the hill were altered by at least three trees being taken down but I still had the illusion of space as I could see to the top of the hill. Now the application states 2 semi-detached bungalows, which I thought would mean two dwellings but plans look as if two separate dwellings (four dwellings?) and they look like chalet type bungalows. Four dwellings seem a little excessive. Plus, the steep pitch of the roof will leave me with a view of at best a wall and roof or just large roofs and nothing else. The character and appearance has already been changed, with the building of a chalet bungalow and garage at rear no. 32, which is accessed from Grinstead Lane, if this plan goes ahead it will make things even worse. I live in a bungalow and do not want the development to intrude on my privacy, nor do I wish to loose any light or be overlooked. Also the noise level is already high. Experiencing significant difficulty in access the 'make a comment' section of your site. How can an application of 2 x semi detached properties (4 homes) be supported by representation of 2 homes. Why do the plans do not match the stated amendment? Still garages attached to each property, but proposal states 1 no. free standing garage to serve one of the dwellings with other dwelling reliant on surface parking

Relevant Planning Policies and Guidance
National Planning Policy Framework
Adur District Local Plan saved policies: AG1, AH2, AH5, ACS5
Adur Local Plan 2016 emerging policies: 1, 3, 15, 21, 22, 23, 29, 32, 34
Development Control Standard *"Space Around New Dwellings and Flats"*

Planning Assessment

Principle

The meeting hall is a community facility defined by saved local plan policy ACS5. This policy states the loss of such facilities will not be permitted, without exemption. In this application some limited evidence has been provided to demonstrate the meeting hall is no longer viable. Its loss was accepted in previous planning proposals, which were assessed against the same local policy. It was not raised as a concern by the Inspector at appeal. Given these past planning decisions, it would be now difficult to justify a contrary decision.

Furthermore, residential redevelopment would bring forward two family homes at a similar density to the dwellings along Orchard Way. The borough has a shortfall of all housing types, lacking a 5 year housing supply. This scheme would make a marginal positive contribution toward meeting this.

Visual amenity

The 2009 appeal Inspector concluded that the proposed development at that time would not have an unacceptable impact on the character and appearance of the area. In this case, the scale, form and architecture of the new bungalows would be reasonably similar to other bungalows in the area, including those on Orchard Way. The garages are in correct proportion and of appropriate form to the new bungalows.

Spacing between the bungalows means they would appear as a pair, and with generous space between No. 32A and the new bungalows a cramped appearance in the street scene is avoided. The ridge and eave heights of the bungalows would ensure a low profile to complement the height of the neighbouring bungalows in Orchard Way.

Hard and soft landscaping is adequate. The front boundary fence is low for most of its length allowing for the new development to make a meaningful contribution to the street scene visually.

It is concluded the proposal would not have an unacceptable impact on the character and appearance of the area.

Residential amenity – future occupiers

Future occupiers would benefit from logical layouts with room sizes that satisfy the Council's adopted Space Standards. The garden shapes are contrived. However, their size does satisfy the Council's adopted Space Standards.

Residential amenity - neighbours

The appeal on the 2009 refusal for three dwellings on the site is the closest comparable scheme to the current proposal, and its judgement is of weight in assessing the impact on the living conditions of neighbours.

Impact upon neighbours at rear

The properties along Orchard Way are bungalows with a low profile. The new buildings would be of a comparable scale to these properties (similar ridge and eaves height, except for higher eaves at the side), although their silhouette would be different.

The distance between the new and existing bungalows would be below the Council's standard. However the appeal Inspector accepted a lapse in standard would not be harmful to neighbour's living conditions. The current scheme represents a further reduced distance (17 metres, excluding the neighbour's own conservatories). However, this would still be greater than the distance from the existing Meeting Hall and, given the comparable scale of the buildings involved and that their roof slopes would be angled

away from the shared boundary, resultant overbearing and overshadowing would not be adversely harmful.

The roof slopes onto the shared boundary would be unadorned with all facing windows screened by the intervening boundary fence, so intrusive loss of privacy and unacceptable overlooking would be avoided.

Impact upon No. 32A Grinstead Lane

The 2009 appeal was dismissed on the grounds of the un-neighbourly impact onto this neighbouring property. The revised layout in the current scheme allows for more generous spacing between the south facing fenestration and garden of No. 32A and the new bungalow (some 7 metres), so the relationship would no longer overbear and adverse overshadowing avoided. The new free standing garage between the new bungalow and No. 32A would be single storey and flat roofed, so would not cause harm.

The orientation of the new bungalow onto No. 32A would negate direct window-to-window views. The intervening boundary fence and oblique views from the fixed shut and obscured glazed first floor window would avoid intrusive overlooking and unacceptable loss of privacy (the new garage having no windows).

Protected Species

The application site was originally a car park for a single detached building. In its years of disuse, it is now densely overgrown and local residents have raised the possible presence of protected species on site. Surveys have been undertaken by Ecologist Consultants that demonstrate the proposal poses a negligible risk to bats and badgers (to accord with submission policy 32).

Parking and Accessibility

Access to and from the site and the ability of vehicles to manoeuvre on site is limited. However, the Highway Authority has not raised a highway safety concern as sufficient visibility at the points of access is shown, as well sufficient parking provision. The site does have 14 parking spaces for its approved use as a community hall, so this proposal for two dwellings represents a significant reduction in comings and goings and traffic movements. Bin collection would be by way of the usual practice applied to unadopted highway.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved plans
2. Standard time limit
3. No construction work shall be carried out on site unless and until provision has been made in accordance with details approved by the Local Planning Authority for temporary parking and loading/unloading of all contractors' vehicles, and for

contractors' buildings, plant, and stacks of materials. Such provision shall be retained and used for the purpose specified in the approved details throughout the period of work on the site with all vehicles, plant and materials kept within the areas so approved.

Reason*:* In the interests of highway safety and amenity having regard to emerging policy 29 of the Adur District Local Plan.

4. No development beyond the demolition of the existing Meeting Hall building shall take place unless and until there has been approved in writing by the Local Planning Authority a scheme of soft and hard landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, 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. The approved details of hard landscaping shall be completed prior to occupation of the dwellinghouses.

   Reason*:* In the interests of visual amenity and the environment and to comply with saved and emerging policies AH2 and 15 of the Adur District Local Plan.

5. No development shall be carried out unless and until a schedule of the materials and finishes to be used for the external walls (including windows and doors) and roof of the buildings hereby approved has been approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

   Reason*:* In the interests of visual amenity and to comply with saved and emerging policies AH2 and 15 of the Adur District Local Plan

6. No occupation of the dwellinghouses hereby permitted shall occur until the garages, surface parking spaces and access facilities have been provided in accordance with the approved plans. 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 dwellinghouses concerned.

   Reason*:* In the interests of amenity and highway safety having regard to emerging policy 29 of the Adur District Local Plan.

7. No occupation of the dwellinghouses hereby permitted shall occur until there has been approved in writing by the Local Planning Authority details of the design, materials and types of boundary treatment to be erected and the approved details completed out on site. Thereafter the approved boundary treatment shall be retained permanently.

   Reason: In the interests of visual amenity having regard to saved and emerging policies AH2 and 15 of the Adur District Local Plan.

8. The garages hereby approved shall be used only as private domestic garages for parking vehicles and domestic storage incidental to the use of the properties as a dwelling and for no other purpose.

   Reason*:* In the interests of amenity and highway safety and having regard to emerging policy 29 of the Adur District Local Plan.

9. The windows in the side elevations of both dwellinghouses hereby permitted shall be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

   Reason: To prevent overlooking and to comply with saved and emerging policies AH7 and 15 of the Adur District Local Plan

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed within the curtilage of any dwellinghouse hereby permitted forward of any wall of that dwellinghouse which fronts or faces any existing or proposed highway (including a public path).

    Reason: In the interests of visual amenity having regard to saved and emerging policies AH2 and 15 of the Adur District Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E of Part 1 of the Schedule to that Order.

    Reason*:* In the interests of amenity and the environment having regard to the nature of the site, to retain an adequate private outdoor amenity space for future occupiers and to comply with saved and emerging policies AH2, AH7 and 15 of the Adur District Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 at first floor and/or above eaves height in the dwellinghouse buildings and/or the north elevation of the free standing garage building facing onto No. 32A Grinstead Lane hereby permitted.

    Reason: To prevent overlooking and to comply with saved and emerging policies AH7 and 15 of the Adur District Local Plan.

Informative

i) *Standard Southern Water informative*

ii) *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 any representations? N

Case Officer signed: Matthew Porter Date: 19-9-2017

Authorised and signed by: Peter Barnett Date: 19 September 2017