Expires 15/9

Development Control – Delegated Officer Report

Application Number: ADC/0431/07 **Recommendation - Refuse**

Site: **Land Adjacent 212 Manor Hall Road Southwick West Sussex**

Proposal: **New detached three bedroom house on south side with 2 parking spaces**

The Application

The application is the resubmission of a previous refusal (ADC/0019/07) with amendments to parking.

The application relates to the land making up part of the garden of 212 Manor Hall Road, adjacent to the existing semi-detached dwelling. The existing property fronts a private access road which also serves as the main access to the units making up the 0.83 hectare Chalex Industrial Estate of B1 and B2 premises.

The proposal is to demolish the existing detached garage which serves No.212 and erect a detached three-bedroom house.

Consultations and Representations

Chief Environmental Health Officer - The property is in close proximity to industrial premises. I would advise that a noise assessment be undertaken by the developer in accordance with PPG24 to establish what noise exposure category the development falls.

Environment Agency - No objections to the proposal subject to conditions regarding discharge of rainwater and compliance with building regulations on the matter of minimising the possibility of landfill gas entering any enclosed structures on site.

WSCC- Highways & Transport – Two car parking spaces are shown for both dwellings. Whilst the parking spaces and manoeuvring space are rather haphazard, the spaces are still just about accessible. I would alter my existing comments but just to say that car parking has been provided, otherwise I see no reason to raise a highway objection

Third Parties

A letter of objection has been received from the occupier of 210 Manor Hall Road who doesn't think the location is suitable because of the industrial estate traffic, the parking situation is already over what it can handle

especially during the week and it will ruin the privacy of my garden and my neighbours.

A local ward Councillor has emailed regarding the proposals and raises concerns that the area of land looks too small to contain another building with the garden being very small without the additional space being taken away from it. They state that the road to 212 Manor Hall Road is very narrow, and also serves the small industrial estate behind it which would make the building extremely close to the units.

The owners of units 1 & 2, Block One of Chalex Works to the south state that there are issues with regards the existing 2m high front boundary wall of No.212 never having been given planning consent. They go on to say that existing wall restricts the use of the pavement where there may be rights of access from the users of Chalex Works. The other concern they have is that a dwelling located closer to the units than currently exists could result in difficulties between the proposed property owners and the occupiers of the industrial site. They state that at the moment there are no hours of operation restrictions but should the application be permitted there could ultimately bring with it pressure to impose such restrictions.

Policies

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE1-3, CH1, ERA1, DEV1, DEV3-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1, AH2, AT12 and Appendix ii 'Supplementary Planning Guidance' comprising:- Development Control Standard No.2 'Space around New Dwellings and Flats'.
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007) H1, H3,T3-4, ENV2, ENV4.
PPS1 ' Delivering Sustainable Development' (ODPM 2005)
PPG24 'Planning and Noise' (Dept of the Environment 1994)
PPS3 ' Housing' (DCLG 2006)

Planning Assessment

The main planning considerations are whether the proposed dwelling would provide a sufficiently high standard of residential amenity for its occupants, also the effect the proposed dwelling would have on highway safety and the residential amenity of the surrounding properties.

Policy AG1 of the Local Plan requires development not to detract from the existing urban local environment. AH2 states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density and layout; respect for the natural features of the site, including trees, no unneighbourly effect on existing dwellings by loss of privacy, light, outlook or open amenity space; adequate access and parking arrangements (as required by policy AT12) and accordance with adopted

standards (in this case the Council's DC Standard No.2 'Space Around New Dwellings and Flats' 1996).

Government policy guidance in PPS3 encourages the best use of urban land for housing development, particularly affordable housing, at higher densities (avoiding developments at less that 30 dph) and without rigid application of parking and amenity space standards. However it also seeks to improve the quality and attractiveness of residential areas and urges imaginative designs and layouts which make more efficient use of land without compromising the quality of the environment.

PPG24 states that LPA's should consider carefully in each case whether proposals for new noise-sensitive development would be incompatible with existing activities, it goes on to set out Noise Exposure Categories for new residential development near sources of noise, and states that LPA's should be able to determine which of four categories development fits into. Policy AP7 of the District Plan states that applications should be refused that are likely to have unacceptable environmental effects. Whilst the proposed dwelling in itself may not have unacceptable environmental effect it is to be considered that the proximity of the site to the industrial estate to the south would cause disturbance to unacceptable levels for any occupant of the house.

A noise assessment has been requested by the Council's Environmental Health Officer to establish which noise category the site falls into, however no such survey has been supplied.

The property at No.210 is a newsagents and convenience store at ground floor level which results in a lot of parking and turning in and around this part of Manor Hall Road adding to the pressure of on-street parking. The Highways Officer states in his comments for the original application that there would appear to be no off-street parking for the existing house, but as the scheme has amended the details of the site boundary this now would not be the case.

The on-site parking as proposed for the existing dwelling would result in cars boxing each other in with the requirement of cars having to move off site to allow for the first car to exit. WSCC have stated previously that provided the boundary walls were reduced in height to 600mm there would be no concern about the lack of on-site turning. The road itself is private, although used as access to the industrial estate, and it is considered that due to the presence of adequate visibility onto Manor Hall Road, and provision being given for on-site parking that no objection would be raised on the grounds of highway safety.

The relationship between the proposed dwelling and the existing house (No.212) would be at odds due to the angled location of the proposal which would result in an irregular shaped garden for both properties and a loss of direct sunlight to a large portion of the south elevation of No.212.

Inconsistencies exist between the size of the garden space as submitted in the drawn plans which do not show the existing large single storey flat roofed extension at the rear of No.212 which would impact on the amount of garden space left for this property in an adverse way. The proposed new dwelling would have a garden size of approximately 54 sqm and the existing dwelling would have a reduced garden size of 41 sqm, and both are considered to be substandard in terms of size for the surrounding residential area.

The proximity of the proposed house (0.25m) to the boundary with the industrial estate and its closeness to the front boundary would result in the outlook from both the front rooms and the upper rooms at the rear of the property being of road, car park and traffic movements associated with the industrial estate. The proposed living room window would be 0.8m from the highway and with the request that the boundary treatment be kept below 600mm would result in an unacceptably low level of privacy for the occupants.

The room sizes of the proposed development and the amenity space available are in some cases slightly below the minimum standards as set out in the above Dev. Control Standard but it is considered would not be sufficient to warrant a refusal purely on this basis, however it is considered that the impact of the surrounding industrial area would be so detrimental to the residential amenity of the proposed dwelling that it would result in a property that would not be considered a pleasant place to live without adequate standards of outlook or privacy, contrary to Policy AH2 of the ADLP.

Recommendation

REFUSE for reason that :-

H13BR – amended.
The size and shape of the plot and its relationship to the existing properties and surrounding industrial area would not permit development of a standard compatible with existing development in the area and in consequence the proposal would constitute 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 West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

Case Officer:
Date: 07/9/07 CS 7.9.07