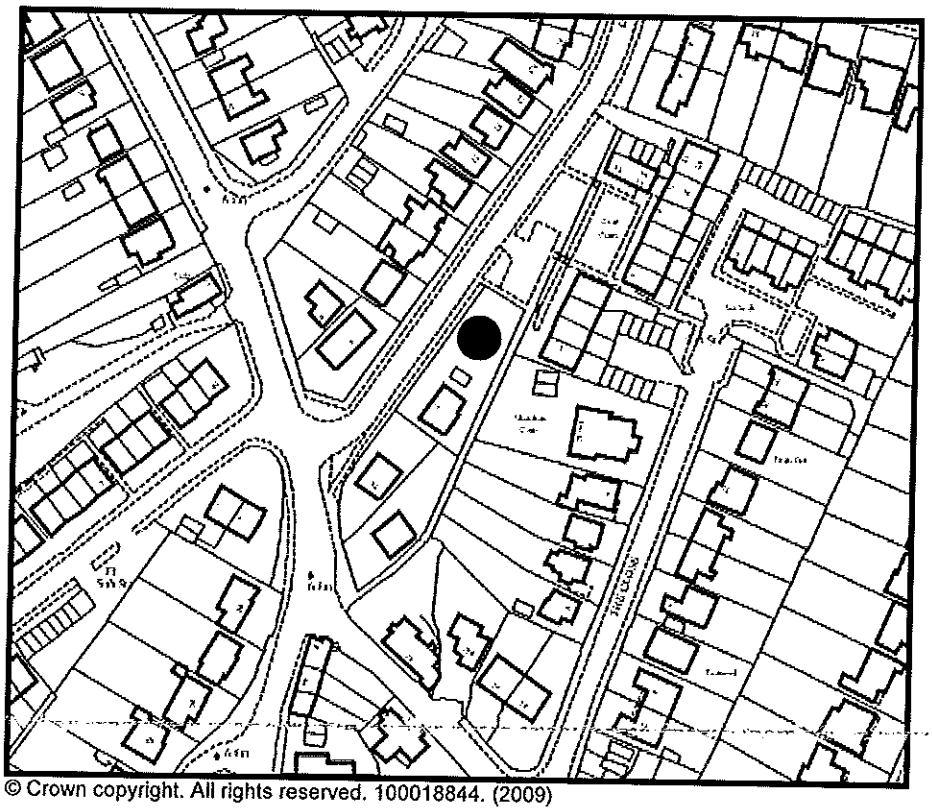
Application Number: ADC/0301/09 **Recommendation - APPROVE**

Site: **2 Oxen Avenue, Shoreham-by-Sea BN43 5AF**

Proposal: **Detached three-bedroom chalet-style dwelling (with dormers) and front parking space (on north-east side of existing dwelling)**



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The Application

The application relates to the north side garden of the existing detached bungalow with rooms in the roof. A footpath runs along the rear (east) boundary with dwellings beyond, to the east, the nearest of which is No.1 Oxen Court. To the north of the site is a parking area serving the dwellings at Oxen Court, which are set much further back from the road.

The site measures 22m wide and 18m deep, narrowing to 14m at the northern end. It is enclosed by a mature hedge and there are a number of trees and shrubs around the boundary of the site. The site at present contains a small summerhouse.

It is proposed to erect a detached three-bedroom chalet bungalow, with the three bedrooms and a study in the roofspace, served by flat-roofed front and rear dormers. It will have a tiled roof with its ridge 6.1m high and side gables. The walls will have a rendered finish with brick quoins. The front will face Oxen Avenue and the gables will be on the north-east and south-west sides.

Access will be from Oxen Avenue, adjacent to the existing access to No.2 Oxen Avenue. No garage is proposed and the dwelling would be served by a single parking space at the front.

In 1962 an outline application for a dwelling on the same site was refused on the ground that it would be detrimental to the character and amenities of the area, by reason of the insufficient size of the site and its unsatisfactory shape (SU/32/62). In 1970 another outline application was refused for similar reasons (SU/362/70), while in 1993 a further outline application was refused on the grounds of it being overdevelopment and out of character with the locality (SU/51/93). More recently, in May 2009, an application for a three-bedroom chalet dwelling was refused for similar reasons as before (ADC/0575/08).

Consultations and Representations

West Sussex County Council: No objection subject to a section 106 Obligation undertaking to pay a sustainable transport contribution of £1,680.

Third Parties: On the *Original Plans,* 3 letters of objection were received from the residents of No's 1, 2 and 3 Oxen Court raising the following:-

- This application is even more intrusive than the previous application, with bigger windows leading to overlooking and loss of privacy
- Too close to path at rear of site
- Loss of light
- Previous applications have been refused
- Additional highway hazard
- Loss of trees would be harmful to character of area
- Loss of view
- Out of character

Following re-notification on the *Amended Plans,* 1 letter of objection has been received from the residents of No.1 Oxen Court on the following grounds:-

- The proposed revisions will only increase the impact on their house
- Loss of privacy, light and outlook
- They have an autistic daughter who needs a calm environment rather than looking out at new house.

[NB. the residents of No.1 Oxen Court have requested to speak at the Committee meeting]

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SP3, CC6, H1-2, H5, T4, BE1-2, SCT1, SCT5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): (saved policies) AG1, AB25-26, AH2, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space around New Dwellings and Flats'
Design Bulletin No.1 'Trees and Landscaping' (ADC 1996)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)

Planning Assessment

Policies

The site is located within a residential part of the built-up area and there is no objection in principle to infill development in order to meet the housing requirements of the approved South East Plan and Local Plan.

The South East Plan sets out the long term spatial planning framework for the region with the aim of achieving more sustainable development, protecting the environment and combating climate change. It provides a spatial context within which Local Development Frameworks and other strategies should be prepared.

Policy SP3 seeks to achieve at least 60% of all new developments on previously developed land and through conversions of existing buildings. Developments in urban areas, including infill, should be well designed and consistent with the principles of urban renaissance and sustainable development. Policy CC6 requires development to respect, and where appropriate enhance, the character and distinctiveness of settlements and landscapes throughout the region, and to use innovative design processes to create a high quality built environment which promotes a sense of place.

Policy H1 sets out the housing delivery requirements for the region and districts while H2 sets out the factors to be considered when planning for the delivery of housing, including encouraging development of previously developed sites and realising opportunities for intensification consistent with advice in PPS3. H5 encourages positive measures to raise the quality of new housing and reduce its environmental impact. Higher densities will also be encouraged with an overall regional target of 40 dwellings per hectare.

Policy BE1 states that local authorities should use the opportunities associated with new development to help provide significant improvements to the built environment, including the promotion and support of design solutions which build upon local character and distinctiveness and sense of place. SCT1seeks to promote the sustainable economic growth and regeneration of the Sussex Coast, including the promotion of design excellence. SCT5 reiterates the Sussex Coast's housing delivery targets.

Local Plan policy AH2 relates to new residential development (by way of infilling and redevelopment) and 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, layout of buildings and hardsurfaced areas; they do not have an unneighbourly effect due to loss of privacy; daylight/sunlight; outlook or open space, incorporating adequate standards of residential amenity for the new dwellings in terms of amenity space, daylight, outlook and privacy; access and parking provision meets the adopted standards; and they accord with the Council's DC Standard No.2 'Space around New Dwellings and Flats'.

Government policy guidance in PPS3 encourages best use of urban land for housing development, particularly affordable housing and a mixture of types to create a balanced community, at higher densities (avoiding developments at less than 30 dwellings per hectare) 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 and sustainable use of land without compromising the quality of the environment. PPS1 states:-

> "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted."

PPS3 also states that Councils should "facilitate good design by identifying the distinctive features that define the character of a particular local area..... ...Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric... .....successful intensification need not mean high rise development or low quality accommodation with inappropriate space.....The density of existing development should not dictate that of new housing by stifling change or requiring a replication of existing style of form.....If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment."

Visual amenity and character

The design of the proposed dwelling is an improvement on earlier designs and would be a modest addition to the streetscene. It will have its main elevation facing towards the road (north west) with flat-roofed front and rear dormers and side gables. The existing garden of No.2 Oxen Avenue, with its large hedge, shrubs and trees, makes a significant contribution to the character of the area. The provision of the extra space around the proposed dwelling, when compared with the previous scheme, should mean that less cutting back of vegetation will be required to enable the building to fit comfortably. This can be controlled by condition to protect the overall appearance of the site and to ensure that the dwelling does not become an overly prominent feature.

The plans have been amended to raise the ridge height of the dwelling slightly in order to make it appear less 'squat'; to divide the dormers into two separate windows and to bring the dormer windows further up the roofslope, away from the eaves; and to remove two circular windows previously shown on the south side gable.

Overall, the proposal is considered to be acceptable in terms of its impact on the visual amenity of the area. The changes to its design, removal of the garage, amended height and increased spacing around the building help to avoid a cramped appearance and fit more comfortably without detracting from its surroundings.

Residential amenity

The dwelling has been positioned so as to not be directly in front of No.1 Oxen Court, some 11.5m away. No.1 Oxen Court is at a higher level than the site and it is not considered that the proposal will have a detrimental impact on light to, or outlook from, that dwelling. Given the distance involved and the difference in levels, there is also not considered to be any increased sense of enclosure for those occupants.

On the rear (east) elevation two bedroom windows were originally shown, which was an increase in fenestration when compared with the previous scheme. Amended plans have since been received which have deleted the window nearest to No.1 Oxen Court at the rear and replaced it with a rooflight. The remaining dormer has also been reduced in size. There would only be approximately 13m between the proposed dwelling and Oxen Court.

However, as a result of the acute angle involved, the higher level of 1 Oxen Court, the tree and hedge screen around the site boundary and the amendments to the fenestration on the rear elevation, there is not considered to be a risk of any serious loss of privacy. The remaining dormer window will face toward the listed building of Shoreham Court, but that building is over 25m away. Windows on the north-west (front) elevation of the proposed dwelling are also unlikely to cause any loss of privacy. No windows would face the side of the existing dwelling at No.2 Oxen Avenue.

As to the standard of amenity of the proposed dwelling, it would be sited only 3m from the eastern (rear) boundary at its closest point. This is an improvement over 1.2m in the previous application. Its main garden area will be to the side (north) as before, measuring approximately 190sqm with a depth of 12m to the northern boundary compared with 9m previously. The additional space has been achieved by removing the garage and locating the dwelling further south. This is well in excess of the Council's minimum standard of 85sqm.

For the existing dwelling (No.2 Oxen Ave), its private garden area is reduced to an area at the rear only 5.5m deep but totalling 90sqm approximately. The Council's standard states that rear garden depth should usually be 11m, although this is largely to enable adequate separation between dwellings. However, while the shallow garden, which is partly overshadowed by tall trees subject to TPO, would not be a particularly attractive amenity for the occupants of No.2 Oxen Avenue, it does comply with the Council's standards in terms of garden area, being over 85sqm.

Recommendation

Subject to a satisfactory section 106 Obligation being completed undertaking to pay £1,680 to sustainable transport improvements in the locality, APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for new housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB25-26, AH2, AH5) and The South East Plan (SCT1, SCT5, SP3, CC6, H1-2, H5, T4, BE1-2).

Subject to:-

1. C1Ci (Standard time limit)
2. C8Gii (The approved dwelling shall not be occupied until 2 covered secure cycle parking spaces and one car parking space have been provided in accordance with details to be submitted to and approved in writing by the local planning authority) (amended)
3. C9Ai (Pavement crossing details)
4. C9F (No development shall be commenced until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Oxen Avenue. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level) (amended)
5. C9N (Temporary provision for contractors' vehicles, materials, etc. on the site)
6. C11Ai (Landscaping scheme including existing trees to be approved and implemented and replacement of those that die)

7. C12Ai (External materials & roof of building to be approved)
8. C14A3 (Permission relates to application as amended by revised plan dated 4 November 2009)
9. C18E3 (No windows to be formed in the south-west side wall of the building without planning permission)
10. C18B (Removal of permitted development rights related to existing and proposed dwellings in respect of extensions and outbuildings over 10 cubic metres)

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