Expiry Date – 5/8, EOT 21/10

Development Control – Delegated Officer Report

Application Number: AWDM/1004/21 Recommendation – Approve

Site: 80 Brook Way, Lancing

Proposal: **Construction of 1 no. 2 bed attached dwelling with 1 no. parking space and new vehicular access. Demolition of existing garage.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 1/7

Site and Surroundings

This application relates to a semi detached house on the east and north side of Brook Way. The front of the house faces south and looks towards a cul de sac entrance, communal green with parking and houses arranged around on three sides and access to a garage compound. To the side of the house is unfenced side garden typical of the open plan layout of this estate.

The house itself is a typical 60's modest semi with open front and side gardens. It has a detached garage to the rear paired with No. 82's garage with a parking space in front. To the east and south are terraced houses of the same design. To the west bungalows face the flank wall of the existing house.

The site is not in a conservation area and is not listed.

Proposal

Permission is sought to add an end of terrace house to this plot. The existing garage will be demolished and the space incorporated into the new rear garden and car parking for 1 car will be provided on the frontage instead. The existing house will be left without off street parking.

All Brook Way building lines are respected. A similar infill house was built to the side of No. 50 Brook Way, to the south and this now represents the relevant building line, see history below.

The proposed house has been revised to more closely reflect the design of the original houses. The layout has also been adjusted to reduce the size of the second bedroom such that this proposal is now for a 2 bed, 3 person, house.

A traffic survey has also been submitted in response to neighbours' objections.

Relevant Planning History

None for the site.

No. 50

ADC/0602/07 - Two-bedroom house attached to side with one parking space. Granted 6.11.07

Consultations

Highways:

'*The LHA has been re-consulted on this application following the submission of a parking capacity survey, conducted at the LPA's request following local representations regarding parking stress.*

The Parking Capacity Survey was conducted by Reeves Transport Planning. The survey was undertaken over the course of four separate evenings/early mornings in September 2021.
The LHA has scrutinised the parking survey and is satisfied that there is available on-street capacity to mitigate any on street parking pressure as result of this application. The LHA would not raise any highway safety concerns to the potential overspill parking.
Please refer to the LHA's previous comments for advised conditions and informatives.'

Initial comments:

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

This application is for the construction of one 2-bedroom dwelling with 1 parking spaces and new vehicular access, following demolition of existing garage. The site is located on Brook Way, an un-classified road subject to a speed limit of 30mph.
The proposed plans demonstrate that the existing garage and driveway parking space serving the host dwelling will be demolished. The existing dropped kerb will be required to be reinstated to full height.
The proposed dwelling will be provided a vehicular crossover (VCO) to the site frontage, providing access to a single parking space. Visibility at the proposed access appears sufficient for the anticipated road speeds in this location.

It is unclear what boundary treatments are proposed for the new dwelling, it appears that a fence may be provided adjacent to the parking space, terminating at the back edge of the footway and hedging provided to the site frontage. The fence is advised to be no more than 0.6m high for the first 2m back into the site and the hedge is advised to be no more than 0.6m high for the first 2m to the west of the access, to provide some element of pedestrian visibility.

The proposed dwelling will be provided with a single parking space. The WSCC parking guidance expects that a minimum of 2 parking spaces would be required for a dwelling of this size and location. The proposal also results in the loss of two parking spaces for the host dwelling. As such, the proposal is anticipated to result in a total overspill parking demand of 3 spaces. These spaces could be provided on street and no highways concerns would be raised

to the provision of parking on street in this location; however the LPA may wish to consider the potential amenity impacts of this additional overspill parking demand on on-street parking.

The proposed plans demonstrate that secure cycle storage will be provided within the garden, it is unclear whether this will be within a shed. The cycle storage should be covered; details of this can be secured via condition.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Adur Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition and a suitably worded condition is advised below.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions
Access (Access to be provided prior to first occupation)
No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Plans and numbered 2185(21)001 Revision C.
Reason: In the interests of road safety.

Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
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 to be 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.

Electric Vehicle Charging Spaces
No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

Informative
Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also

obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f
or-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f
or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/"

Technical Services:
Flood risk- The application is within flood zone 1, and is not shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds.

Surface water drainage- the application form indicates that it is proposed to discharge surface water via soakaway(s). This is acceptable in principle, however there are no public surface water sewers here and groundwater can be high.

If you are minded to approve this application please apply the following condition to ensure it is adequately drained and does not increase flood risk elsewhere:

"Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

and the accompanying informative:

"Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

Health, Public Housing: *No objection but the 70sqm floorspace is 9sqm below the minimum standard in the Technical Housing Standards for a 2b4p house.*

Pollution Control: No objection.

Southern Water:

'The attached plan shows that the proposed development will lie over an existing public foul water main, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

Please note:
- The 150 mm private foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No new soakaways should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.
Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit: southernwater.co.uk/developing and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed

development. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk'

Lancing Parish: Objection. Overdevelopment of plot.

Representations

5 objections summarized as follows:

1. Really can't understand County Highways lack of objection. Did anyone really survey the on street parking situation in the mornings and evening as the parking survey suggests?
2. On street parking is a major issue in Brook Way with cars parked on verges and blocking neighbours in and obstructing deliveries /refuse vehicles etc.
3. The proposal removes any parking for the existing house and only provides one space for the new dwelling. This will lead to at least 4 extra cars trying to park in the street. There isn't the space to do this safely.
4. The build itself and the contractor's vans and delivery vehicles will cause a hazard on this bend for vehicles and pedestrians especially the children going to school.
5. I work shifts as bus driver and will not be able to sleep. My tiredness will put the public at risk.
6. No need for this house as enough housing is being built in the Lancing area.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2021
Adur Local Plan 2017 Policies 1, 2, 15, 18, 20, 22, 28, 30, 35 and 36 including Development Management Standard No.1 'Space Around New Dwellings and Flats';
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The principle of development can be supported as it creates a new dwelling in a sustainable location within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity, highways and drainage.

<u>Housing</u>

National guidance requires sustainable development to be supported unless significant and demonstrable harm would occur. This is particularly pertinent where an authority cannot meet their housing target. Adur Council is not currently meeting its housing target, though projections over the next 3-5 years suggest it will.

Character

The proposed house is to be built on unenclosed side garden. This side garden is larger than the private rear garden of the parent building and is a feature of this open plan estate. However, a dwelling was added to the side garden of No. 50, to the south, in the last 12 years, with planning permission. This has left a reasonable unfenced side garden to the pavement edge and the same is proposed in this case. A side garden 4.55 metres in width is to be retained. Building lines are otherwise respected.

It is not considered that harm would occur to the general character of the area with the positioning of this dwelling.

The house itself has been redesigned to more closely resemble the appearance of the parent building and those houses around.

Neighbour amenity

The dwelling would face the garage and imperforate flank wall of No. 82. It would not be harmful to 82.

Highways

Highways do not object to this proposal. They have seen the applicant's traffic survey and are satisfied that no significant harm to highway safety will result from the removal of off street parking to the parent building.

Space standards

The first floor has been adjusted to create a smaller 2nd bedroom such that the proposal is now a 2 bed 3 person unit. The DCLG's Technical Housing Standards requires a minimum floor area of 70sqm for such a dwelling. The applicant advises that the Gross Internal floorspace proposed is 71.4 sqm.

Adopted Development Management Standard No. 1 (DM1) seeks a minimum garden length of 11 metres. It also requires a minimum gap of 11 metres where the back of a new two storey house will face a single storey obstruction or 14 metres where it would face a two storey obstruction. In this case the rear garden would only be 4 metres deep and the back of the house would be 4 metres from the flank wall of No. 82's garage. It would only be 8 metres to the two storey flank wall of No. 82. The private enclosed rear garden area itself is 20sqm only. DM1 looks for a minimum area of 50sqm. However, the property would enjoy a larger garden due to the unenclosed area at the side. It should also be noted that garden sizes within the area are relatively small.

This north facing garden would be less than half the minimum standard identified in adopted Development Management Standard No. 1. This would leave no space to extend the property. Furthermore it would reduce the size of No. 80's garden or the potential to increase the size of No. 80's garden. The proximity to facing obstructions is

also far less than the minimum distances identified in adopted Development Management Standard No. 1.

However, the Council is currently falling well short of its housing targets and the harm identified in this case is not considered to be so significant that a refusal can be justified. A satisfactory standard of living environment will be provided.

Drainage

This site is in flood zone 1 and not prone to surface water flooding. Surface water drainage is proposed though there are no public surface water drains nearby and groundwater can be high. A pre-commencement surface water drainage condition is recommended including winter infiltration monitoring results.

Southern Water has advised that the development will lie over a public foul drain and this will not be acceptable. It is likely to be possible to divert the drain but Southern Water will need to see these details. They have recommended a condition which is attached.

Conclusion

While there are shortcomings with this proposal, they must be balanced against the need to provide more housing in the District. On balance, it is not considered that the proposal results in significant harm and a refusal is not warranted.

Recommendation

APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. Surface water drainage
4. Public sewer diversion details
5. Samples of materials
6. Hard and soft landscaping
7. Car parking space (details approved)
8. Cycle parking
9. Electric Vehicle Charging Spaces
10. No enclosure of side garden
11. Cycle storage and bin storage provided prior to first occupation
12. Removal of PD
13. CMP details

Informative

1. 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.

2. Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE DG365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.
   Further detail regarding our requirements are available on the following webpage https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms. A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions.

3. Minor highway
4. SW connection
5. SW sewer

Is recommendation contrary to any representations? Yes.

Case Officer signed: MOK Date: 19/10/21

Authorised and signed by: Peter Barnett Date: 20 October 2021