Expiry Date - 08/11/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1229/23 Recommendation – APPROVE

Site: 88 Salvington Hill Worthing West Sussex BN13 3BD

Proposal: Proposed two-storey 2no. bedroom house with attached garage to rear garden of 88 Salvington Hill with access onto Firsdown Road. Including associated landscaping and bin store. Renewal of AWDM/0256/20.

Site and Surroundings

The application site relates to part of the rear garden of a property which lies at the junction of Salvington Hill and Firsdown Road. The host dwelling No 88 Salvington Hill faces Salvington Hill with the garden to the east. The property is on a partly sloping site.

The application site is enclosed with a line of Leyland cypress trees to the southern boundary and a mixture of trees and mature shrubs to the eastern side. There are trees subject to individual and group tree preservation orders to the northern boundary. The site is currently at a higher level than the existing road to the south Firsdown Road.

Immediately to the east of the site is an electricity substation which is enclosed by close boarded fencing. Further to the east is a bungalow known as Sunrise. It has a rear west facing garden partly with a boundary with the application site. The bungalow is at a higher level than the application site.

This part of Salvington Hill comprises primarily detached two storey houses in spacious grounds. Firsdown Road and Close comprises primarily bungalows of various sizes with a mixed frontage. The south side of Firsdown Road has properties that are at a lower level

Proposal

The application is for a renewal of Application AWDM/0256/20 proposes a chalet style dwelling with attached garage. The dwelling would be orientated north/south and would be set back approx. 5m back from the Firsdown Road frontage.

The proposed dwelling would have central front door with a living room on one side of the hall and a kitchen /diner to the opposite side, both rooms would be through rooms.

At first floor there would be two bedroom and bathroom within the roof space lit by pitched roof dormers. The windows to the rear (north) at first floor would have glazing below 1.7m which would be obscure glazed and fixed shut. The

dwelling would be set into the sloping site being at pavement level on the eastern side.

The dwelling would have a floor area of approx. 99sqm and a garden area to the north and west totally approx. 164sqm.

The application would involve the removal of approx. 8 leyland cypress trees on the southern boundary and their replacement with mixed border shrubs. A new access and drive is proposed to the eastern side of the plot providing access to the attached garage.

The application includes information provided in support of approved conditions under AWDM/0396/23 relating to finished floor levels, surface water drainage and landscaping as well as a construction management plan.

The decision for AWDM/0256/20 expires on 21.01.24

Relevant Planning History

04/01351/FULL- Erection of one detached dwelling and detached garage-REFUSED:

The proposed dwelling and garage would over-develop the site and create a cramped form of development out of character and detrimental to the amenities of the area. The proposed building line to Firsdown Road is inadequate and the dwelling would appear overbearing in relation to the road, would be detrimental the appearance of the street scene and would detract from the amenities and outlook of the neighbouring dwellings. As such, the proposal conflicts with Policies DEV1 and CH1 of the West Sussex Structural Plan 2001-2016 and Policies BE1 and H18 of the Worthing Local Plan.

AWDM/0385/17- Single storey extensions to north and south elevations, with 1 metre high fence to south boundary atop existing wall

AWDM/0256/20- Proposed two-storey 2no. bedroom house with attached garage to rear garden of 88 Salvington Hill with access onto Firsdown Road. Including associated landscaping and bin store.Refused. Allowed on appeal

AWDM/1087/20- Proposed two-storey 2no. bedroom chalet dwelling with attached garage to rear garden of 88 Salvington Hill with access onto Firsdown Road, including associated landscaping, bin store and 2no. parking spaces (Re-submission of AWDM/0256/20)Approved

AWDM/0535/22- Application for consent under Worthing Tree Preservation Order No.5 of 1978 to fell and replace one Lawson Cypress tree T1.Approved

AWDM/0396/23- Application for Approval of Details Reserved by Conditions 3 (Finished Floor Level), 4 (Surface Water Drainage) and 5(i) (Species of Shrubs and Plants) of Appeal Decision W/40001471.Approved

Expiry Date - 08/11/2023

Consultations

West Sussex County Council:

Summary and Context

The proposal is for the construction of a new dwelling with access onto Firsdown Road. This proposal was previously approved under AWDM/0256/20 (later AWDM/1087/20) with no Highways safety concerns raised. This most recent proposal has not materially changed since the initial submission, the resubmission is due to the elapsed time.

The application site is located on Firsdown Road a publicly maintained, D classified no-through road subject to a 30 mph speed limit.

Access

The applicant proposes a new dropped crossing access into the site. It is considered that the road is subject to light traffic movements given the context and speeds are not anticipated to be at the speed limit given the street geometry and presence of on street parking in this location.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injuries or collisions within the vicinity of the site. Therefore, there is no evidence to suggest any existing concerns with the highway at this point.

Vehicle Parking and Cycle Parking

Under WSCC Car Parking Guidance (adopted August 2019), the LHA would anticipate that two parking spaces would be sufficient for a development of this size and location. The applicant proposes a two car parking provision for the new dwellings. This consists of one driveway parking space and one garage space. The driveway as proposed is considered suitable to accommodate a single vehicle, Manual for Streets standards outline that 2.4 x 4.8m is sufficient for an average sized vehicle.

The garage space to be provided is existing and measures 3.1 x 5.1 metres. Garage spaces count towards 0.5 of a parking provision. For the LHA to consider a garage to provide a parking provision of 0.5 however, the garage must measure a minimum of 3 x 6 metres (as per MfS guidance) internally. As such, the garage as proposed does not count toward a viable parking provision. Any overspill parking will be required to be made up via on street parking. This is a practise already in Firsdown Road and there are no known concerns with this practise. The LPA may however wish to consider this from an amenity perspective.

Visibility

At the point of access the applicant has proposed border planting to the east of the access which has been stated as being under 0.6m in height, this provides sufficient visibility of pedestrians travelling along the adjacent footway and assists with vehicular visibility. Pedestrian visibility is advised to be conditioned to ensure these sight lines in perpetuity, in both directions. The LHA appreciates that the presence of the large connifer trees to the west of the access may make this difficult if the LPA wish for the street scene to remain as unaffected as possible. Therefore i have suggested a suitably worded condition below outlining that pedestrian visibility is to be provided to the best of ability in the western direction- if the LPA agrees to this standpoint.

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 111), and that there are no transport grounds to resist the proposal.

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 Dwelling and numbered 575/01.

Reason: In the interests of road safety.

Pedestrian Visibility (details required)

No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided to the eastern side of the proposed site vehicular access onto Firsdown Road and to the best of ability in the western direction in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

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 included 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.

Works within the Highway – Area Office Team

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Area Highway Manager (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Southern Water

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer

Adur & Worthing Councils:

Environmental Health** P**ublic Health (previous comments)

*No objections and requires 2 conditions on hours of construction and a construction management plan**.***

Environmental Health Private Sector Housing

No objections

Representations

None received

Relevant Planning Policies and Guidance

National Planning Policy Framework (2023)
National Planning Practice Guidance
Space Standards SPD
Guide for Residential development SPD 2013
CIL

Worthing Local Plan 2020-2036
SP1 (Presumption in Favour of Sustainable Development)
SP2 (Climate Change)
SP3 (Healthy Communities)
DM1 (Housing Mix)
DM2 (Density)
DM5 (Quality of the Built Environment)
DM16 (Sustainable Design)
DM17 (Energy)
DM18 (Biodiversity)
DM19 (Green Infrastructure)
DM20 (Flood risk and sustainable drainage)
DM21 (Water Quality and Sustainable Water Use)
DM22 (Pollution)

Planning Assessment

Policy context

The policy context comprises of the NPPF and the local development plan which consists of the Worthing Local Plan and accompanying SPDs.

Paragraph 10/11 of the NPPF identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means making plans which positively seek opportunities for objectively assessed housing needs, approving development proposals that accords with an up-to-date development plan without delay and where there are no relevant policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the framework that protect areas or assets of particular importance provides a clear reason for refusing the proposal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

The principle of residential development has been accepted on the site. The main change since the approval of the scheme in 2021 (following an appeal) is the adoption of the Worthing Local plan

The key considerations are the effects on the character and visual amenity of the area, residential amenities for existing and proposed residents, trees, highway access and car parking and CIL and other technical matters assessed against the adopted Worthing Local Plan.

Character of the area and visual amenity

Policy DM2 of the Worthing local Plan states that Development proposals must make the most efficient use of land, which will usually mean developing at densities above those of the surrounding area.

Policy DM5 states that a) All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;

ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;

iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;

iv) respect, preserve and where appropriate enhance, heritage assets and settings;

v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;

vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);

vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;

viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);

ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain. Where appropriate, this will include the protection and integration of existing trees and green infrastructure into new developments;
d) Development must reflect government guidance on design and take into account any local design guidance and supplementary planning documents such as design guides and codes. Weight will be given to outstanding or innovative designs which promote high levels of sustainability, or help raise

the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.

The application site is situated to the rear of a property facing onto Salvington Hill but would have a frontage onto Firsdown Road. Firsdown Road comprises a cul de sac with Firsdown Close and Downlands running off it to the north.

The start of Firsdown Road and Firsdown close comprise primarily detached bungalows some of which have rooms in the roof space, there is two storey development at the end of the cul de sac which has a very different character.

Firsdown Close rises to the north again primarily detached bungalows leading into Downlands which comprises primarily two storey houses. The primary views around the application site are bungalows of varying sizes and frontages to the road. The south side of Firsdown Road has properties at a much lower level and the north side with Firsdown Close is rising. The road is however open in plan with significant landscaping to the road frontages or within front gardens.

The application site itself is enclosed behind a row of mature Leyland cypress trees which are in the region of 5-6m tall, they were prominent and partly overgrown over the highway on the north side of the entrance into Firsdown Road. Although providing a green edge the species itself does not make a significant contribution to the street scene, several of the trees have already been removed. The application proposes removing approx. 8 of the Leyland cypress trees. The council's arboriculturalist has not previously raised any concerns at the loss of these frontage trees and with retention of some trees on the boundary and additional landscaping on the frontage would mean that a green edge would be maintained.

The proposed dwelling as previously approved is a chalet style with rooms in the roof space, it is shown set back from the road by approx. 5m and would front and be parallel to the road at this point. It is shown set down into the site.

As indicated above Firsdown Road is primarily bungalows but there is also two storey development with a chalet style property opposite the site and two storey houses on Salvington Hill, Downlands and at the end of Firsdown Road. With the mixture of development in the area and modest design proposed, the design of the dwelling is considered to be acceptable.

It is considered that with its relatively small scale, its siting, its relationship to neighbouring properties and the landscaping being retained and proposed on the boundary that the proposed dwelling would not be unduly obtrusive or out of character with the area which is very mixed with properties at differing angles and heights. The proposed plot, although smaller than average in the area, is similar in particular to the property directly on the opposite side of the road.

The proposed lowering of the site means that the proposal would be to a similar height to the neighbouring property 'Sunrise' to the east. The

juxtaposition of the houses means there is no clear building line and although the dwelling would protrude forward when viewed from the east it would not be unduly prominent, the garage being set behind the electricity substation which is enclosed by close boarded fencing and the design would sit comfortably into the site.

The building design encompasses elements of face brickwork, tile hanging and dormers all of which are common to the High Salvington area. The overall modest chalet-style property would be in character with the area and comply with policies DM2 and DM5 of the Worthing local Plan.

Residential Amenity

Neighbouring amenity

Policy DM5 requires development not to have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network

The 'Guide to Residential Development' SPD also provides guidance on siting and relationship of proposed development on neighbouring properties.

The most directly affected properties are 'Sunrise' Firsdown Lane, 23 and 22 Firsdown Road, 90 Salvington Hill and the host dwelling No 88 Salvington Hill. The application has also generated a number of representations from residents in Salvington Hill, Firsdown Road, Firsdown Lane and Downlands as set out above.

In terms of the impact on 'Sunrise', this property is situated to the east, it comprises a bungalow at the corner of Firsdown Road and Firsdown Close. Due to the lay of the land and its corner location, it is set back from the roads with landscaping to the frontage, with a relatively large front garden and short garden to the rear partly bordering the application site. The property has a garden in the region of 8m in depth which faces west. The proposed dwelling would not be directly behind this property, as the proposed dwelling is set further forward. The nearest element to this dwelling would be a garage which would be approx. 8.2m from the rear of the property, the higher element would approx. 11.5m and at an angle. The boundary between the two properties is currently heavily landscaped with mature hedging and some trees. The application would involve the removal and reduction of shrubbery on the boundary which will open up this boundary, although regrettable this could take place at present as this does not involve the loss of any TPO trees.

It is furthermore proposed that the dwelling would be set down into the site and would be no higher than 'Sunrise' which is a bungalow. There are no windows shown on the side elevation facing Sunrise and views from the first floor windows to the proposed rear would be at an angle. It is not considered with the distance proposed between the dwellings and the heights that the

proposal would cause significant loss of light or detrimental overlooking of ‘Sunrise’

With regards to the impact on 22 and 23 Firsdown Road these are situated on the opposite side of the road, they are however at a lower level with ground floor partly below the road. No 23 has a first floor which faces the application site. Although with the removal of some trees to the frontage it will open up the site and there will be inter-visibility between the properties the distances involved across a road would not be detrimental in terms of loss of privacy.

No 90 Salvington Hill has a large garden to the rear of which part would adjoin the proposed application site. The proposed dwelling would be within approx. 8m of the boundary. This northern boundary is heavily landscaped with mature trees and shrubs some of which are subject to a TPO. The trees will not be impacted by the proposal and would retain a good landscape boundary between the properties. Even without the landscaping there is good separation to the boundary and the dwelling its self on the frontage is over approx. 23m away. The proposal is also set down into the site and would not cause loss of light or privacy to this property.

No 88 the host dwelling is on the frontage. The property would retain a garden of approx. 16m in depth and the back to side distance between the properties would be approx. 21m. Although there are windows on the ground floor in the proposed side elevation facing the rear of No 88 with a 2m high fencing between the properties and the set down proposed there would not be any unacceptable impact from the proposal.

Future residents

The proposed two bedroom dwelling at approx. 99sqm would comply with the minimum Technical housing standards- nationally described space standards for a two bedroom house and with a garden of 164qm would comply with the Local Space Standards.

The proposed dwelling would orientate north/south. The plot has significant trees to the northern boundary which are subject to TPO and would not be removed by the proposal. All the rooms including the bedrooms would have dual aspect ensuring that there would be good light to all the habitable rooms. Outside the proposed dwelling would have a private garden to the north and west which provides adequate space and amenity for the property with good spaces to the boundaries. The proposed dwelling would provide a potential family house which would contribute to housing supply.

Accessibility and parking

Access would via a new access point off Firsdown Road. The new access would be 3.7m wide and involves the removal of trees along the frontage and the lowering of the site. One external parking space is shown and a single garage.

Access into the dwelling will continue to be via level entry thresholds and the internal stairs will be suitable for use by the ambulant disabled. Access throughout the ground floor will be wheelchair friendly. The dwelling will be served by a vehicular/pedestrian access from Firsdown Road with clear visibility splays and the reducing of the site levels will ensure that there will be no requirement for excessive ramps to serve the property. Access and car parking proposals have raised no objection from WSCC highways subject to conditions.

Trees and ecology

The application site is heavily treed to the boundaries at the present time. There are a number of TPO trees on the northern boundary including group TPOs. The order was made in 1978 and some trees have been lost in the intervening years although the retained trees still provide a significant presence.

Policy DM18

a) Planning applications should be supported by relevant environmental information, which is informed by appropriate up-to-date ecological information, prior to determination.
b) All development should ensure the protection, conservation, and enhancement of biodiversity. If significant harm cannot be avoided (by locating development on an alternative site with less harmful impacts or through design), then such harm should be adequately mitigated. Where it cannot be adequately mitigated then as a last resort such harm must be compensated for. Where it cannot be compensated for, then planning permission should be refused. This process is known as the mitigation hierarchy
h) New developments (excluding change of use and householder) should provide a minimum of 10% net gain for biodiversity - where possible this should be on site. Where it is required/necessary to deliver biodiversity net gain offsite this should be part of a strategic ecological network having regard to Green Infrastructure and Local Nature Recovery strategies. Where it is achievable, a 20%+ onsite net gain is encouraged and is required for development on previously developed sites. Major developments will be expected to demonstrate this at the planning application stage using biodiversity metrics. This should be accompanied by a long term management plan.

Although the applicant has not provided a biodiversity report it is indicated that along the western and southern boundaries, the intention remains to plant predominantly a native hedgerow comprising hawthorn and escallonia and five other species from the following: blackthorn; field maple; dogwood; crab apple; guilder rose; dog rose; cotoneaster and hazel. To make a positive contribution to biodiversity, it is intended to plant some trees along parts of the western boundary only, as highway safety is a priority in terms of planting

along the southern boundary as any encroachment on a clear visibility splay would raise objections from the highway authority.

The number and species of trees have been chosen to ensure that there is a reasonable balance between further adding to the biodiversity and green infrastructure of the site and being able to implement the development scheme to produce a light, open and attractive living environment for future occupiers of the dwelling in compliance with policies.

The loss of the cypress trees which don't tend to be biodiversity rich and replacement with native species would be an improvement and would provide biodiversity net gain, although a calculation has not been provided in accordance with policy. In view of proposed planting and previous permission on the site it would not be expedient to refuse the application on this basis.

Sustainability

In the light of the planning history of the site; the adopted Local Plan and the Council's Sustainability Checklist it is confirmed that:

1) There are two approved schemes for the disposal of surface water and this application seeks to incorporate the means of surface water disposal approved by the Council under ref AWDM/0396/23 on 12 April 2023 (please see drawing 575/01 Rev N and 23-017-CO1.
2) The scheme will incorporate measures to limit water to a level below 100 litres/per person/per day by way of low use WCs, showers and taps.
3) The scheme will incorporate measures to achieve a minimum 20% CO2 reduction upon the requirements of the Building Regulations Document L and will seek to achieve an A/B rating but a minimum a "C" rating Energy Performance Certificate.
4) In complying with the conditions attached to the Building Reg approval opportunities will be maximised for passive cooling and to incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements (after CO2 reductions from energy efficiency measures).
5) Minimise waste by prioritising on site re-use of demolition materials and surplus inert soil will either be donated locally for reuse or collected by a firm such as Rabbit Grab Services or Euro Green for recycling and reuse at their centres.

CIL

The site will be subject to a Community Infrastructure Levy

Recommendation

Expiry Date - 08/11/2023

APPROVE

Subject to Conditions:-

The conditions relate to those indicated on the planning inspectorates appeal decision relating to Application AWDM/0256/20 and the acknowledgement that conditions 3 (Finished Floor Level), 4 (Surface Water Drainage) and 5(i) (Species of Shrubs and Plants) of the Appeal Decision have been approved.

1. Approved Plans
2. Standard 3 year time limit
3. Hard and soft landscaping in accordance with the approved plans,
4. Protection of TPO trees
5. No additional windows north and south
6. Refuse and waste facilities in accordance with approved plans
7. Provide the vehicular access in accordance with the approved site plan.
8. Provide parking including EV point prior to occupation
9. Provide pedestrian visibility
10. Implement surface water drainage scheme
11. Hours of work
12. In accordance with Construction management plan

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

New address
Vehicle crossover
Southern water
CIL

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jackie Fox Date: 31.10.23

Authorised by: Jo Morin Date: 31.10.2023

Expiry Date - 08/11/2023