Expiry Date – 10/11

Development Control – Delegated Officer Report

Application Number: AWDM/1331/17 Recommendation – Refuse

Site: Southwick Christian Community Church, 1-5 Roman Crescent, Southwick

Proposal: **Proposed two bedroom single storey log cabin to north of Church for use as accommodation by key workers.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 27/9

Site and Surroundings

This application relates to a church building together with church hall and ancillary accommodation on the north side of Roman Crescent and at its junction with Southview Road. The church was extended in the early 2000's and this planning permission included a first floor Manse (Pastor's home) and related offices, meeting rooms and a frontage café.

The church is set well back from the road with a considerable lawn in front of it and a car parking area. The area is largely residential though there is a new commercial building at the rear, 4a Southview Road and 2a Southview Road is chiropractic clinic.

It is situated in the Southwick Conservation Area.

Proposal

Planning permission is sought to erect a modular building (log cabin) in the rear garden of the church for short term residential occupation by key workers associated with the church. Church meetings may also take place in it. The building is 9 metres wide and has a maximum depth of 4.75 metres. It is flat roofed and 2.7 metres in height and is to be erected on a base about 10 inches in height. It is to be timber clad. Its staggered back wall is positioned inches off the rear boundary wall and approximately 1200m off the boundary with 7 Roman Crescent. It provides two bedrooms, a bathroom and an open plan living/kitchen area.

Relevant Planning History

SW/57/00/TP/18808 - New Church BLDNG (Replacing Existing Hall) With F/F Meeting Rooms & Manse; F/F Extn To S.Side Of Existing Church, Porch & Alts To Provide Meeting/Game Rooms. Granted 4.12.00

SW/56/00/TP/18807 - Demolition Of Existing Church Hall (Application For Conservation Area Consent) (Renewal Of SW/58/96). Granted 4.12.00.

SW/58/96/TP/16543 - Demolition Of Existing Halls (Application For Conservation Area Consent). Granted 21.10.96

SW/57/96/TP/16542 - New Church Halls And Manse (Replacing Existing Halls). Granted 21.10.96

Consultations

Private Sector Housing –

'It is noted that the applicant believes that the structure is a mobile log cabin and should be treated as a caravan in law. If this is the case, then there is a need for a caravan site licence application and the model caravan site standards will apply. For this development, the siting of the proposed mobile home will not meet minimum separation distances from boundaries or existing buildings.

If this is a new dwelling, then it is unlikely that the structure will meet the requirements of the Housing Act 2004.

I therefore object to the proposal in either circumstance.'

Highways:

'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.

I refer to your consultation in respect of the above planning application and would provide the following comments.

This application proposes a two bedroom single storey log cabin to be erected on land under control of Southwick Christian Community Church, 1 - 5 Roman Crescent, Southwick. The unit will be used as temporary accommodation for use as accommodation by key worker. The parking requirement of the unit will presumably be facilitated within the existing parking provision of the church and therefore utilize the churches existing access arrangements via Roman Crescent. This detail should be confirmed with the applicant.

The Local Highways Authority does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.'

Southern Water:

'Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

We request that should this application receive planning approval, the following informative is attached to the consent:

"A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or 'www.southernwater.co.uk".

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:
- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The Council's Building Control Officers or your own engineers should be asked to comment on the adequacy of use of water butts to serve the development.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or "www.southernwater.co.uk".

Council's Drainage Engineer

'Thank you for the opportunity to comment upon this application. The site lies in flood zone 1, and according to the EA flood maps may be susceptible to surface water flooding.

This area is prone to very high ground water levels during wet winters, I am not sure if this site has actually flooded due to a combination of surface water and groundwater.

Mr Box the Church Secretary has confirmed during the past 14 years the site has not been flooded, he also confirms that the floor of the building will not be in contact with

the ground, like a shed, but will be elevated approx. 1m off the ground. Therefore there is no risk of flooding.

The provision of a water-butt is acceptable but, once the butt is full where does the excess water go?

Mr Box also confirmed that should a water butt be used any surplus water will be directed to the sewers serving the existing building roofs.

Therefore I am happy to withdraw my holding objection, and say we have no comments.'

2nd comment

There was no mention of other flats, this structure was needed to house one member of church staff - how many do they need to house?

There was no mention of the removal of natural vegetation – natural drainage.

There was no mention of previous flooding in fact quite the opposite.

Having said that this building will not flood - and should not cause any other issues; if it can be proven that a connection to the existing surface water sewers is possible. However it is interesting to see that SWS suggest that a suds system would be preferable

Therefore we need to ask for a scaled drawing showing all drainage runs and connections, and ask what the recorded flooding was caused by and what the works undertaken were required for.

And until we get this clarifying information i suggest that i need to raise an objection

Representations

Three objections received from 7 Roman Crescent, 2c Southview Road and The Poplars, Roman Crescent summarised as follows:

1. What is a key worker?
2. This is a church. It already has two dwellings in it which accommodate people staying over. Any more is unnecessary. This is not a hostel and nor do we want it to be.
3. If approved this would pave the way for other people building structures in their gardens to accommodate people which would not be acceptable.
4.. When I moved here 4 years ago I thought I was moving next to church not a commercial business. Whilst I understand they have to be financially viable I believe their impact on the immediate neighbourhood has become negative.
5. This little wedge shaped garden is currently an attractive community garden with trees , bushes and flowers which attract birds and a variety of wildlife. It was built to give the community somewhere peaceful to relax.
6. This log cabin will be wedged between fences and high buildings to south and west. The existing 2 flats cannot get a decent signal.

7. Unless excavated the log cabin will be visible in Southview Road and all using 4a's drive.
8. If rainwater is not disposed of into underground pipes then it will take a natural downward course into my (4c's) foundations or the driveway adjoining and on to Southview Road.
9. Last year the church floor had to be dug out and replaced due to water ingress. Everyone knows this area has a high water table and many underground rivers.
10. Most of the small terraced houses in Southview Road have been converted into flats adding to parking tensions. You only have to look at the church website to see the number of activities that take place. They hire their rooms virtually every morning, afternoon and evenings: nursery/playschool, art class, gentle exercise, low impact aerobics, Zumba, brass band practice, choir practice,drum practice, youth club to name a few. Concerts, bbq's, family days at weekends and their café is open every day. The activities are not free!
The increase in classes has had a huge impact on parking in Southview Road as well as Roman Crescent which is now parked up on both sides much of the day. This log cabin will add to the pressure. The church should replace their lawn area with more car parking.
11. The church has two flats which they rent out. I believe a key worker used to live in one of the flats.
12. All the activity at the church and flats generates noise which gets trapped in the gulley between the church and the large house to the west. I have to keep my windows close sometimes because of the noise.
13. This development represents another example of overdevelopment in a conservation area.
14. The application makes no mention of the removal of a mature olive tree in the garden.
15. Last year the church experienced water ingress. Building over the known, and unknown underground rivers, could affect the water table and affect our neighbouring property in the same way.
16. People living so close to our private rear garden boundary would affect the tranquility of our use of it which we greatly appreciate. We understood there would be some noise associated with living next to a church when we moved in last year but we knew when and for how long. Having various people living in what is supposed to be a garden is quite different.
17. Would this set a precedent for other gardens in Southwick?

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Saved Local Plan policies AG1, AB4, ACS5 and Appendix 11 including Supplementary Planning Guidance comprising Development Control Standard No 2 'Space Around New Dwellings'
Submission Adur Local Plan Policies 1, 2, 15, 17, 21, 34, 36 and 37

Planning Assessment

Principle

This is an extremely unusual application and should be assessed against the need for such accommodation, appropriateness and suitability of accommodation, impacts for neighbours, impacts on the appearance of the conservation area, highway implications and whether granting such a permission would set a precedent for other such development in the area.

Need

The applicant has advised that the proposed 'mobile home' is intended for residential occupation by visitors to the church, i.e. youth workers, trainers, key workers. These visitors have in the past stayed for long weekends or for up to one month at a time, though the applicant was keen to avoid a maximum occupancy time limit condition. The structure might also be used to hold occasional church related meetings.

This church was extended in the early 2000's. It was built with a single residential unit at first floor level, intended in the original application to be the Pastor's home (manse). In 2009 a second flat was registered from this address. It would appear that the original unit was converted into two units at this time, without planning permission. The current Pastor lives in Lancing. The existing two units are rented privately to members of the general public. Visiting key workers, youth workers are at present accommodated in first floor offices at the front of the building.

The applicant has not made a compelling case as to why this additional accommodation is required to support this community use. The church has two existing residential units, one or both of which could be used by key workers if critical to the functioning of this church. Key workers might alternatively be privately accommodated with the congregation or in rented space, flat, B & B etc.

Suitability of space

In the absence of a full understanding of the frequency with which the proposed structure would be occupied, turnover, length of occupation etc. it is difficult to assess this proposal. Is it a dwelling or a caravan? In either case the private sector housing team do not support the proposal.

The unit is cramped into the rear yard with garden walls or the back of the church building in close proximity. Light inside and outlook from it would be very restricted. It would not be suitable for long term residential occupation as it would provide a poor quality of accommodation.

Neighbour amenity

The structure is located close to neighbours' private rear gardens in a backland position. Activity associated with the residential use of this structure has the potential to disturb neighbours' quiet enjoyment of their homes. Comings and goings associated with its use are necessarily along the boundary between the church and No. 7 Roman Crescent. Use of this access, especially at night may disturb occupiers of No. 7 particularly if the structure is used for meetings also. Use of the remaining rear garden

by occupiers may also disturb nearby residents. The sound insulation quality of the building is unlikely to be as effective as a purpose built dwelling or extension and so routine occupation/use of it may also disturb.

Visual appearance/conservation area

The structure itself is 2.4 metres high and will be set on a plinth about 10 inches in height. It is positioned close to neighbours' boundaries. It is not domestic in scale or appearance and will be visible from neighbours' gardens and from Southview Road. It is not designed to integrate well with the local townscape or add to local distinctiveness. It will not enhance the local environment or make a positive contribution to local character. It would fail to preserve or enhance the appearance of the Southwick conservation area.

Rear garden

The existing rear garden includes shrubs and at least one tree which will be lost to this development reducing local bio diversity. There are also a couple of seats in this rear garden. It is not clear how frequently it is used for relaxation purposes but clearly any such activity will end if this development goes ahead. The loss of this garden space and planting is regrettable. The loss of this breathing space between buildings points to a cramped unneighbourly development.

Traffic

The Highway Authority is not objecting to the proposal and does not anticipate any significant impact on the highway network as a result.

Drainage

Notwithstanding the applicant's advice on the subject of flooding two neighbours have referred to works to address water ingress into the church in the last 12 months and the high water table locally. The proposed structure is on higher ground than the church and will not sit directly on the ground. Consequently the advice is that the structure itself is unlikely to flood. However, the Council's drainage engineer would like further information to demonstrate the position and suitability of all drainage runs and connections, and asks what the recorded flooding, referred to by neighbours, was caused by and what the works undertaken were required for. In the absence of this information it cannot be satisfactorily concluded that an increased risk of flooding will not occur. Consequently, a holding objection is raised.

Precedent

If this development were to be allowed it would set a precedent for other community uses to make similar applications. These prefabricated buildings are an unsatisfactory way of accommodating people, even in the short term and do not provide the solution to meeting the housing need implied in this case.

Recommendation REFUSE for the following reason:

1. The application fails to provide a compelling argument for allowing a modular building for residential purposes in this rear garden and such a structure would set an unacceptable precedent for other such buildings in the area, to the detriment of local character. In addition the building would provide poor quality accommodation for future occupiers in terms of light and outlook and would be a cramped overdevelopment of the plot. The proposal is therefore contrary to saved Local Plan policies AB4 and ACS5, policies 15, 17, 21 and 34 of the Submission Adur Local Plan as modified by the Inspector's recommendations, Supplementary Planning Guidance comprising Development Control Standard No 2 'Space Around New Dwellings' and the National Planning Policy Framework.

2. The proposed building would be harmful to neighbouring amenity by means of reduced outlook and increased noise and disturbance arising from the additional activity associated with a dwelling in this location. The proposal is therefore contrary to saved Local Plan policies AP5 and ACS5, policy 15 of the Submission Adur Local Plan as modified by the Inspector's recommendations, Supplementary Planning Guidance comprising Development Control Standard No 2 'Space Around New Dwellings' and the National Planning Policy Framework.

3. The applicant has not demonstrated that that there would be no net increase in surface water runoff to the detriment of sustainable drainage. The proposal is therefore contrary to saved Local Plan policy AP4, policies 36 and 37 of the Submission Adur Local Plan as modified by the Inspector's recommendations and the National Planning Policy Framework.

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? N

Case Officer signed:	MOK	Date: 8.11.17
Authorised and signed by:	Peter Barnett	Date: 8 November 2017