DELEGATED APPLICATIONS **ASSESSMENT SHEET**

APPLICATION NO./ADDRESS: WB/07/1423/FULL – Land south of 1 Valencia Road

DATE OF SITE VISIT: 7th January 2008

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The application relates to a site currently occupied by 2 garages within a block of 6 (attached to another row of 17 garages, fronting onto the west side of Valencia Road, close to the junction with Rugby Road. The frontage of the site tapers to a narrow access point the width of a driveway where it is closest to Valencia Road. The immediate area is characterised by two-storey Edwardian houses (semi-detached and terraced), some of which have been converted into flats.

RELEVANT PLANNING HISTORY:

None.

PROPOSAL:

It is proposed to demolish the 2 garages and to erect a single-storey 1-bedroom house with 1 off-street parking space on the driveway and a small rear garden. The proposed bungalow would be of a traditional design with a pitched roof rising to a maximum height of 4.65 metres. It would have a footprint of 4.5 x 9.55 metres.

RELEVANT PLANNING POLICIES:

West Sussex Structure Plan 2001-2016
DEV1, CH1, DEV4, DEV5, ERA1

Worthing Local Plan 2003
BE1, H18, TR9

Government advice
PPS1, PPS3, PPG13

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

The application includes a **Design and Access Statement,** which describes the proposal in detail and predicts that the new dwelling would have a maximum of two occupants, with 2 vehicle movements per day (a reduction from the current use which creates 4 movements per day). The statement says that the comments made by the LPA have been noted and the proposal takes regard of the comments, resulting in a neat infill which makes efficient use of the site. It also states that the owner of the garages would be in a position to offer the tenants alternative garaging in two vacant garages fronting Rugby Road.

The **Assistant Director (Health and Housing)** raises no objection.

The **Strategic Housing and Planning Manager** makes the following comments:-

"The issue of density and local amenity is potentially problematic with this application. Although the plans are now for a single-storey dwelling the site is in close proximity with nearby residential units.

Policy BE1 does specify that the form and character, including height, massing and scale are compatible with its surroundings. It is questionable if a single-storey dwelling is in keeping with the nearby residential units."

The **Highway Authority** makes the following comments:-

"From inspection of the plans there appears to be no visibility issue at the point of access onto Links Road. The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access. Evidence suggests that developments of this type are unlikely to result in increased access or safety concerns. No objection would be raised."

Two **letters of objection** have been received from **local residents** which raise the following concerns:-

i) After careful consideration I feel that the proposed building will have a significant impact on flat 1 24 Rugby Road (directly to the south), regarding overshadow, and will also directly affect the amount of daylight I presently receive from the north facing kitchen and bathroom windows.

ii) The proposed building will also completely block out the additional light received from light reflected from the large white wall that I face – this will have a direct impact on my property value and current lifestyle within my flat.

iii) This is taking in-filling a step too far.

The **applicant** has **attempted to address the objections from residents** with the following comments:-

i) There appears to be only one letter of objection which takes issue with the point of using this site as an 'infilling site' although it clearly is a natural infill site, and makes far better use of the land than two garages.

ii) Having had earlier enquiries, it was felt by the Council that a development on two floors would appear heavy on the street scene, although it does sit amongst adjoining properties, all of which are on at least two floors.

iii) The current proposals have taken the Council's comments on board, therefore producing a single-storey design which is both attractive, and will offer much needed accommodation with a small rear garden to the front and rear together with off-street parking.

iv) It is noted that the Highways Department have no objections to the proposal.

v) The location of the site is ideal for all transport facilities and would be ideal for a starter home or a disabled person being a single-storey design.

vi) The proposed scheme and design is not unlike one which was given planning consent in St. Matthews Road, and that scheme was effectively a garden/backland development without any direct road frontage.

vii) It is important to note that there have been no other objections from any of the adjoining property owners, or the surrounding area – local people would clearly seem to feel that this development would serve to enhance the area, and be of greater benefit to the local community than two garages.

PLANNING ASSESSMENT:

The main issues raised by this proposal are the principle of a residential dwelling on the site; design and impact on the street scene; impact on the amenity of neighbouring properties and future occupiers; and parking, access and highway safety. As such, the application should be principally considered against Saved Policies BE1, TR9 and H18 of the Worthing Local Plan 2003.

The principle of more intensive residential use of the existing urban area is supported by regional and national policies. However, the acceptability of specific proposals depends upon the particular circumstances. In this case there are serious concerns about the suitability of the site to accommodate a new dwelling in a satisfactory manner.

The proposed dwelling would occupy a large proportion of this very small plot and would, in your Officers' view, fail to relate to surrounding development by virtue of its small scale, including its height and footprint. Given the above, in combination with the proximity of the proposed dwelling to the site boundaries (less than 20cm from the north boundary and less than 1 metre from the south boundary), it is considered that the proposed dwelling would appear unduly cramped and incongruous on the site and in the context of the existing substantial 2 or 3-storey properties that are set in significantly larger plots of a regular size and shape. The narrow frontage onto Valencia Road, which tapers into the remainder of the site resulting in the new dwelling being set back from the adjoining properties, would exacerbate the cramped appearance of the development as viewed from the street, which would contrast with the predominant pattern of development. The limited size of the plot would also result in a very small area for private outdoor amenity space, although bearing in mind that the proposal would only provide a 1-bedroom dwelling, this last point would not present a reason for refusal in itself.

Turning again to the small and restricted nature of the plot; your Officers consider that the scale of development proposed would result in an overbearing impact on the neighbouring properties. Both closest adjoining properties (No.24 Rugby Road and No.1 Valencia Road) are divided into flats, including a ground floor flat at 24 Rugby Road (directly to the south) which has its kitchen and bathroom facing the site. At present, these windows benefit from the gap in between this building and No.1 Valencia Road which provides for a reasonably open outlook and good levels of day light, including sunshine which is reflected off the south-facing, white-painted flank wall of No.1 Valencia Road (presently the garages are set back far enough west of these windows to have no significant impact). The proposed bungalow would come within 1.9 metres of this flank wall, within close proximity to these windows, which would end up looking onto the side gable wall and front projection of the proposed dwelling. This, it is considered, would be visually intrusive and overbearing for the occupiers of this neighbouring property, and would reduce the amount of natural light enjoyed in the kitchen and bathroom of the property. The flat above this has 3 windows facing the site, although given their position above the majority of the roof of the proposed dwelling it is not considered that an unacceptable loss of light or overbearing impact would occur for this property.

However, No.1 Valencia Road directly to the north (divided into 2 flats) has a conservatory on the side adjacent to the existing garages on the site (not shown on the plans). The proposed dwelling would be significantly higher than the existing garages, and would be directly to the south of this conservatory, within very close proximity. As such, it would increase the degree of overshadowing and the sense of enclosure experienced by the occupiers, to an extent that would be detrimental to amenity in your Officer's view. In terms of overlooking, the dwelling would have its main aspect to the front and rear, with only a hall window on the south side, which could be required by condition to be obscure-glazed in order to overcome problems of overlooking into the kitchen at flat 1, 24 Rugby Road. As such, subject to this condition and the preclusion of further windows in the side elevations, the proposal would not be detrimental to the privacy of adjoining occupiers.

The applicant has compared the current application with the recently approved new dwelling at land to the rear of 33 and 34 St. Matthew's Road (WB/07/0144/FULL). However, in that instance, a modern, innovative and sustainable design was adopted, which the Development Control Committee considered would enhance the character and appearance of the area. Further, the site benefited from a greater separation from the 2 immediately adjacent properties and therefore the proposal had less impact on neighbouring occupiers in terms of overshadowing and overbearing effects, and appeared less cramped, your Officer would argue, than the current proposal.

The proposal provides for 1 car parking space off-road, utilising the existing access point. This accords with the adopted parking standards for a 1-bedroom house. Furthermore, the site is in a 'sustainable' location, very close to West Worthing train station, bus routes, and local shops and amenities. The Highway Authority has raised no objection, stating that there have been no personal injury accidents in the vicinity of the existing point of access, and commenting that evidence suggests that developments of this type are unlikely to result in increased access or safety concerns. The applicant suggests that vehicular movements would be likely to decrease from the existing use as two garages, although given the proposed use as a dwelling it is likely that overflow visitor vehicles would sometimes require on-street parking. However, the location of the property within walking distance of a range of services accords with government guidance relating to sustainable development and in the light of this guidance and given the provision of off-street parking in line with maximum standards in any case, it would not be reasonable to withhold permission on this basis. It would be possible to provide cycle storage within the garden (at the discretion of the owners), in an attempt to encourage a non-car mode of transport to and from the site.

The applicant has failed to fully justify the loss of the existing garages, but has explained that one of them is let to a tenant who lives in Hove. As such, their loss is unlikely to significantly exacerbate parking problems in the area given that a maximum of one of the tenants lives in the immediate vicinity ('West Worthing'), and that the applicant states that this tenant will be allocated a garage fronting Rugby Road (within the same block of garages).

However, the above points do not outweigh the conclusions reached above regarding the cramped, discordant nature of the proposed dwelling and its impact upon the living conditions of neighbouring occupiers. As such, the application is recommended for refusal.

RECOMMENDATION:

Refuse.

REASONS FOR RECOMMENDATION:

Reason for refusal:

Having regard to the constraints of the site, the proposed building, by reason of its footprint, scale, design and proximity to the site boundaries, would constitute a cramped, discordant form of development that fails to relate satisfactorily to the character and appearance of the existing development and would be detrimental to the visual amenities of the area. Furthermore, the proposed building, due to its height, depth and proximity to the side boundaries, would be overbearing and result in an unacceptable degree of overshadowing, loss of light and be detrimental to the outlook from No.24 Rugby Road and 1 Valencia Road. As such, the proposal is contrary to 'Saved' Policies BE1 and H18 of the Worthing Local Plan 2003 and 'Saved' Policies DEV1 and CH1 of the West Sussex Structure Plan 2001-2016.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if refused, would have some impact on the applicant's Rights. However, it is considered that the harm caused by the development outweighs these and that in the public interest the application should be refused. Accordingly, it is considered that the decision complies with the Human Rights Act 1998.

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION?

Not contrary to residents' letters.

DELEGATED

Case Offi[redacted]
Sign.....Date 25/01/08

Authorising Officer [redacted]
Sign.....Date 28.1.08