Application Number: ADC/0475/08 Recommendation – APPROVE

Site: **Land rear of Meadowcroft Rest Home**
30 Buckingham Road (fronting The Martlets)
Shoreham-by-Sea BN43 5UN

Proposal: **Detached three-bedroom house with integral garage (renewal of SU/170/05)**

The Application

There is an alternative application for the development of this site with a terrace of 3 dwellinghouses which has been refused under delegated powers (ADC/0474/08).

The application site is 27m wide by 18m deep and was previously part of the rear garden of 'Meadowcroft Residential Care Home'. The site has been fenced off from the remaining rear garden of the care home and is accessed from The Martlets (to the east).

The application is for the renewal of the previous permission for a two-storey, three-bedroom detached house with integral garage and off-street parking for one car. It was originally permitted in 2001 (SU/210/00) and subsequently renewed in 2005 (SU/170/05). The house would be 12m wide by 11.3m deep with a hipped roof having a maximum roof ridge of 7.6m. The rear of the house would have a 'cat-slide' roof with a single-storey eaves level which would also return over the north side garage. The application is accompanied by a Design & Access Statement.

The Martlets originally comprised of semi-detached houses on its east side only. On the west side, where the long rear gardens of houses in Buckingham Road back onto The Martlets, there is a history of piecemeal development proposals. Permission was first granted in the early 1980's for the matching pair of detached bungalows 'Bon Accord 'and 'Ambleside' to the south of the present site (to the rear of No's 26 & 28) and in 1987, an appeal was allowed for a bungalow at the rear of No.36 (SU/244/87) but this was never implemented. Permission was granted for bungalows at the rear of No.38 (SU/228/00) in 2000 and No.32 in 2005; both have been built and are now occupied.

Consultations and Representations

West Sussex County Council: No objections provided planning conditions are imposed to require secure covered parking for 3 cycles and provision for contractors plant and materials on-site, and a section 106 Obligation completed requiring a sustainable transport contribution of £1,680 under the adopted Methodology.
Adur District Council: The Assistant Parks Manager states that a suitable screening for the development could be to plant a number of multi-stemmed evergreen oak (Quercus Ilex). These are quite fast growing do not get out of control like C.Leylandii. Also, they can be cut back and will re-grow, unlike most conifers.

Third Parties: 8 letters have been received, of which 7 object. The latter are from the residents of 'Ambleside' and No's 2 (2 letters), 4 & 12 The Martlets; No.28 Buckingham Road and from the manager of Meadowcroft Residential Care Home (No.30) plus a joint letter from the 15 residents of the care home. The main points of objection are:-

- Parking problems in the area;
- Overlooking of the rear garden of the care home, and other adjacent gardens, leading to loss of privacy; the residents of 'Ambleside' to the south being concerned about the proposed south-facing bedroom window being only 10m from their boundary.
- Intrusion on the neo-Georgian houses opposite;
- The detached house will look completely out of keeping with the existing smaller dwellings in the close; it should be a bungalow;
- Only one bungalow should be permitted in order to fit in with the existing development on this side of the road;
- Fire engines would be unable to negotiate The Martlets, owing to its narrow width and the on-street parking; it was not designed to have dwellings on its west side.
- Potential loss of the remaining trees on the site (which need to be protected);
- Loss of wildlife;

The residents of the Care Home have concerns regarding loss of privacy to their rear garden, loss of light to rooms, increase in noise/cars and pollution.
The residents of 'Ambleside' also comment that, in their view, the alternative application for a proposed terrace of 3 cottages would be far more in keeping that the single proposed detached house.

The other letter is from the resident of No.10 The Martlets, stating that, owing to the congestion of parked vehicles, including commercial vehicles in Nicolson Drive/The Martlets, the proposed development of one house is more suitable than the alternative proposals for a terrace of three houses as the latter would lead to more on-street parking (ADC/0474/08).

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, CH1, NE1, ERA1, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH2, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.2 'Space Around New Dwellings and Flats'.
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 ' Housing' (DCLG 2006)
Circular 11/95: Use of conditions in planning permission (DoE 1995)

Planning Assessment

Policies

The Government Circular 11/95 states that under Regulation 3 of the Town and Country Planning (Applications) Regulations 1988 that applications for renewals should only be refused where:-

- there has been some material change in planning circumstances since the original permission was granted;
- continued failure to begin the development will lead to uncertainty about the future pattern of development in the area; or

- the application is premature because the permission still has a reasonable time to run.

The above policies, as at the time of granting the original planning permission in 2001 (SU/210/00), encourage redevelopment and infilling within the built up area to help meet the demand for dwellings suitable for small families, single persons, the elderly and social and low cost housing without developing 'greenfield' land. The more recent Structure Plan policies, in accordance with Government advice in PPS3, give increased emphasis on making the best use of land at higher densities provided that the impact on the character of the area and environment is acceptable (LOC1, ERA1, CH1); and new development being of high quality construction, layout, scale and appearance, taking into account the need to integrate with existing development and have regard to local context, including local character and distinctiveness, streetscape, views into and out of the site and materials and building styles (DEV1).

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 is now set out in PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be acceptable.

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). 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.

Planning policy and Government guidance have not fundamentally changed to an extent that would warrant a refusal in principle of the development as approved previously.

Changes to the site and surroundings

There have been some changes to the site and surroundings which need consideration:-

(a) The original planning permission was granted subject to planning conditions which aimed to protect and retain a number of trees on the site during the course of development. However, they were not considered worthy of a TPO. The planning

officer stated *"it is considered that these (remaining) trees would provide adequate screening of the dwelling from the bungalow to the south and the proposed bungalow (now built) to the north…. …it is considered that the proximity of the proposed dwelling to the road would be offset by the wider spaces on either side of the house and the retention of the trees which could help soften the impact".* The majority of these trees, conifers, were removed earlier this year.

(b) Increase in depth of the site by 2m; and

(c) The construction of a bungalow to the north, 'Little Willows'.

Visual amenity

The principle of a two-storey house on this wide plot has been established by the previous two permissions and in principle remains acceptable. In appearance terms, the plot is wide enough to comfortably accommodate the size of the proposed dwellinghouse, with adequate separation to the north and south and a 4.3m setback from the road to prevent it from appearing cramped or overdeveloped.

The specific design of the house has not altered since the last approval and is considered to be in keeping with the surrounding area and sympathetic in its use of materials.

Due to the loss of the trees, the site is now open and without screening other than the two remaining trees in the extreme corners of the site. The rear of the Meadowcroft Care Home is dominated by a large metal fire-escape from first floor level, and high-level rear dormer. The mass and bulk of the care home is now clearly visible from The Martlets.

The proposed dwellinghouse would be seen in front of the much larger care home behind and as a result would not appear too dominant for the site. It is also felt that it would go some way to improve the streetscene of The Martlets by screening the cluttered appearance of the rear of Meadowcroft from view.

Trees

As stated above, the loss of conifer trees from the site prior to the application being submitted, will cause the proposed dwelling to have a more noticeable impact on the streetscene and the character of the area than would have previously been the case. These trees would have partially offset the scale and mass of the proposed dwelling. The remaining two trees comprise a tall silver birch in the NE front corner of the site and a mature cypress in the SW rear corner. It is considered that additional trees need to be planted to help assimilate the building and restore the character of the environment.

The Assistant Parks Manager has been consulted and recommends the planting of semi-mature, multi-stemmed Holm Oaks in suitable locations and of an appropriate size. It is felt that these evergreen trees need to be of a sufficient size when planted.

Residential amenity

The proposed design and siting of the house remains the same as previously approved and the effect on the residential amenities of Meadowcroft was concluded to be acceptable at the time of the two previous approvals. The only upper floor window facing Meadowcroft, 17m away, would serve a stairway landing. It is not considered to result in unacceptable overlooking of the care home garden as it is not a habitable room (NB. the Council's minimum standard of 22m only relates to facing principal windows).

The site has been increased in depth by 2m to 18m but the siting of the proposed house remains in the same position as previously approved. The increase in depth of the site allows for access around the rear of the house and creates an area of separation between the built form and the garden of Meadowcroft, which, as previously approved, would have had the boundary made up in part by the rear wall of the proposed house. This 2m gap has also been identified for a planted border which could help screen the rear of the house from occupants of the care home.

The detailed design and layout of rooms of the proposed house has not changed since the previous approval, and it remains the conclusion that there would be no overlooking or loss of light to Meadowcroft , or to other dwellings in Buckingham Road or to the bungalow directly to the north, as the north side elevation has no windows.

To the south side, a first-floor bedroom is proposed but this would be 10m from the south side boundary. It is not considered that it would cause unacceptable overlooking of the bungalow itself. The preservation of privacy to its rear garden will to a certain extent be dependant on the location of new trees but it is not considered that refusal would be warranted due to this point alone. The applicant's agent has agreed to new planting and new trees and shrubs can be specifically located to improve the screening from the south-facing first-floor bedroom (which is 10m from the south side boundary).

Parking and Access

It is not considered that the proposal would cause any significant access or parking problems. The proposal includes a single garage with a 7.8m long driveway in front of it, thereby providing 2 car parking spaces (the maximum standard). The site is in a sustainable location close to the town centre and station. WSCC have re-examined the proposals against their current standards and have no objection provided there are planning conditions imposed to require adequate cycle storage and provision for contractors plant and materials on-site and a section 106 Obligation requiring a sustainable transport contribution of £1,680 under the adopted methodology.

Recommendation

A. Subject to a satisfactory section 106 Obligation being completed by 12 December 2008 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 additional 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, AH2, AH5) and the West Sussex Structure Plan (LOC1, NE1, CH1, ERA1, DEV1, DEV4-5).

Subject to:-

1. C1Ci (Standard time limit)
2. C14A3 (Permission relates to application as amended by revised plan 02D received on 11 November 2008)
3. C7Ci (Details of walls/fences to be approved and implemented)

4. C9Ai (Pavement crossing details)
5. C8Fi (Private domestic garage to be retained for such use)
6. C8Gii (Details of hardstanding and secure covered provision for 3 cycles to be approved, provided and retained) (amended)
7. C11Ai (Landscaping scheme including retention of existing trees and planting of Holm oaks or similar to be approved and implemented and replacement of those that die) (amended)
8. C11D (Retention of existing trees, protection during construction work and replacement of those that die)
9. C11E (No trenches or pipes within 5 metres of any existing tree)
10. C12Ai (External materials for wall and roof of building to be approved)
11. C18B (Removal of PD rights for extensions, additional windows in north and west walls, and curtilage buildings over 10 cubic metres) (amended)

B. In the event that a satisfactory section 106 Obligation is not completed by 12 December 2008 (the date that the statutory period for determining the application expires), that authority be delegated to the Executive Head of Planning, Regeneration & Wellbeing to refuse the application on grounds that it does not comply with Structure Plan policies DEV3-5 and the Revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area.

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