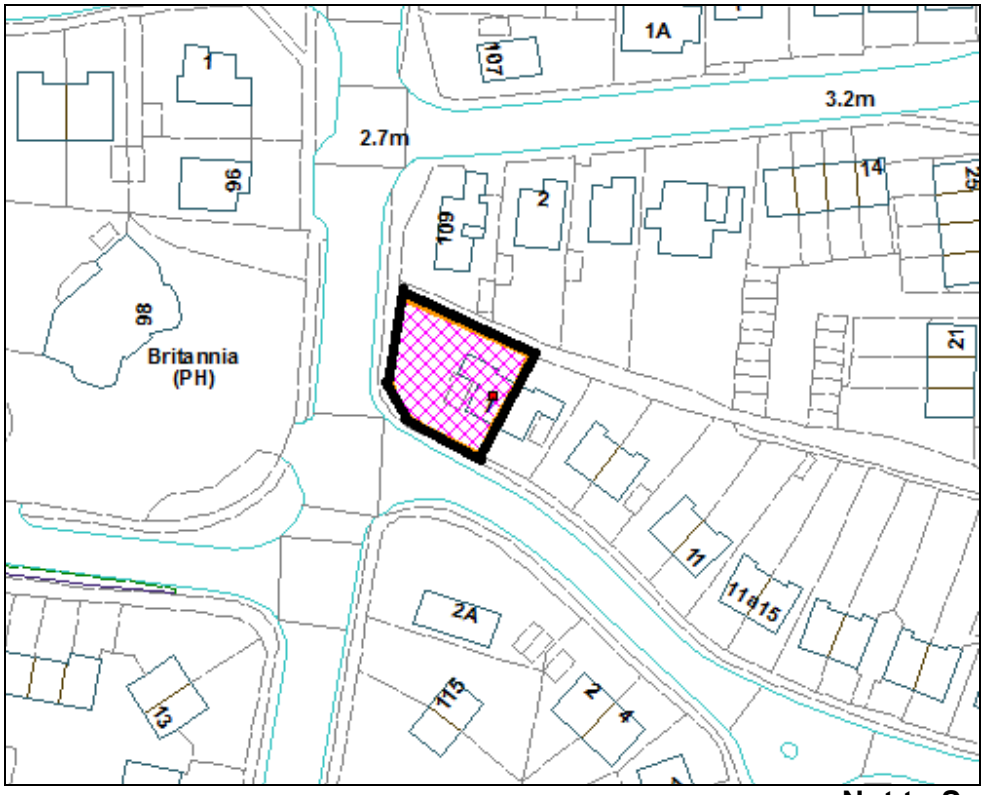
Application Number: AWDM/0176/17 **Recommendation – APPROVE**

Site: **1 Monks Avenue, Lancing**

Proposal: **Attached three bedroom dwelling incorporating existing single-storey side extension. (Revised Proposal)**

Applicant: Mr S Boyle Ward: Mash Barn
Case Officer: Marie O'Keeffe



Not to Scale

Reproduced from OS Mapping with the permission of HMSO © Crown Copyright Licence number LA100024321

Proposal, Site and Surroundings

This application relates to the site of a semi detached house on the north side of Monks Avenue at its junction with Grinstead Lane. The property has a single storey side extension and a sizeable side and rear garden.

The application proposes to extend to the side of the property, incorporating the existing single storey side extension and to create an end of terrace 3 bedroom dwelling. The application has been revised since first submitted to alter the design, to reflect more closely the existing pair of houses, and to adjust the rear garden boundary separation to allow the existing house to retain a larger rear garden. The site boundary includes half the width of a drainage ditch which runs along the back of all houses on this side of Monks Avenue.

The new dwelling will in effect extend 2 metres further towards the western boundary and will line through with the front and rear walls of the existing dwelling. Permission is also sought to extend the crossover and create one additional parking space for the new dwelling whilst leaving the existing dwelling with one forecourt parking space.

The site is not in a conservation area and does not relate to a listed building. There are no protected trees on the site.

Relevant Planning History

L/183/79 – Extension to west elevation replacing garage. Granted 21.6.79

L/33/60 – Kitchen extension. Granted 15.3.60

L/126/50 – Garage. Granted 7.11.50

Consultations

Southern Water

The attached plan shows that the proposed extension lies over an existing public sewer. An investigation of the sewer is required to ascertain its condition, the number of properties served, and potential means of access, before any decision can be made as to whether it would be acceptable for the proposed development to be constructed over or close to the sewer. Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker – in this case Southern Water. 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".

Furthermore, 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".

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 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.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer
Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer the prior approval of Southern Water is required.'

Council's Drainage Engineer:

'The site lies in flood zone 3.

The site is affected by Surface Water flooding

The site has a public foul water sewer running east - west across the bottom of the garden.

The site is bounded by a ditch which the applicant is responsible for keeping clear.

The previous surface water flooding was caused by problems with the gully in the road in Monks Avenue. The works did not include a pipe from the gully to the ditch as I believed, so a new build will not affect the solution.

The EA have not required a minimum floor level, so that can be ignored, the ground floor of the new property should therefore be the same as No 1.

The foul sewer issue will be dictated by Southern Water and building control.

The purchaser of the new property should be made aware of the issue of riparian ditch maintenance but that's not a planning issue.

Surface water from the new build should preferably go into a soakaway - so the usual soakaway condition - requiring percolation tests will suffice.

Otherwise no issues'

Environment Agency:

'We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted.

Advice to Local Planning Authority (LPA) / Applicant:

It is our understanding that any historic flooding in this area has been resolved. The councils own drainage engineers should be able to verify this.

With regards the small ditch which runs to the north of the site, an Ordinary Watercourse Consent may be needed if any works take place within the channel itself. You should liaise with the relevant Lead Local Flood Authority on this issue. Again the council's own drainage engineers will be best placed to comment on this aspect.'

Highways:

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

Context
This application seeks consent for the erection of an attached three bedroom dwelling incorporating existing single-storey side extension at 1 Monks Avenue, Lancing. The site is located and accessed via Monks Avenue, which is unclassified. The site is a corner plot and its western boundary is located on Grinstead Lane, A2025.

Access & Visibility
An off street car parking provision will be provided to the proposed dwelling. This will be created by extending the existing dropped crossing which serves 1 Monks Avenue. This effectively creates an access point in close proximity to the junction with Grinstead Lane, A2025. However I'm conscious vehicles will be required to slow on Grinstead Lane when turning left into Monks Avenue.

Using WSCC Mapping a maximum achievable visibility splay onto Grinstead Lane of 2.4 x circa 37 metres (or 45 metres if measured along the alignment of the carriageway) would be achievable if the western boundary treatments of the development site were reduced in height no greater than 0.6 metres. This would be considered appropriate for vehicles approaching at speeds of 31 mph. Given the junction of Grinstead Lane and Monks Avenue vehicles would not be anticipated to be traveling past the site at this speed.
The LPA would be advised to consider the visual implications of the formation of the splay.

Any access works on the public highway must be implemented under licence to a specification obtained for WSCC highways.

Parking
The application documents detail that one space is existing and this will be retained to serve 1 Monks Avenue. From a desktop study it does appear that the site is currently afforded two off street car parking spaces. The plans provided detail that the proposed dwelling will be provided one off street car parking space.

Having assessed the existing provision against the WSCC Car Parking Demand Calculator it would be considered that 1 Monks Avenue is afforded an appropriate quantity of car parking. The proposed would result in a car parking demand of four car parking spaces being required. Only two spaces are proposed on site at present and the proposal would therefore result in additional on street car parking being created.

The Local Highways Authority is only in a position to object to the creation of on street car parking in situation where a Highway Safety Issue will be created. It is likely that this small quantity of parking could be accommodated on street safely within a reasonable walking distance of the site so the Local Highways Authority would not wish to raise this as a substantive concern. The LPA may wish to consider the amenity implications of this.

Given the above the applicant would however be advised to consider providing increased off street car parking on site if achievable, these matters can be dealt with via condition.

Other Matters
I have consulted with WSCC Highways with regard to their view on this application. These comments will be forwarded on if provided.

Conclusion
The LHA does not consider that the proposal for one dwelling 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.

If the LPA are minded to grant planning consent conditions and an informative note would be advised:

Pollution Control

'The area of development adjacent to Grinstead Lane has been identified on DEFRA noise maps as being severely affected by traffic noise. I would ask for an acoustic assessment to be undertaken to ascertain the exact noise exposure of the property including a scheme to protect the habitable rooms and amenity areas from excess noise. This can be dealt with by condition.

The development hereby permitted shall not be commenced until a scheme for protecting the proposed dwellings and outside amenity areas from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate good acoustic design and shall comply with the internal noise level guidelines set out in BS8233:2014. The scheme shall also try and achieve as far as

reasonably practicable the WHO guidelines for external amenity areas. All works which form part of the agreed scheme shall be completed before the permitted dwelling is occupied.'

Public Health Housing –

'I have now had the opportunity to review the above application and would make the following comments, which may mirror comments made by my colleagues in Public Health and Regulation:

The new dwelling puts a noise sensitive room (bedroom) next to the bathroom and toilet of the existing dwelling. This is unsympathetic stacking and could result in disturbance that cannot be addressed with public health legislation. This risk could be mitigated by altering the internal layout of the new building so that staircases and bathrooms are contiguous to the existing dwelling.'

Representations

Lancing Parish Council objects to the proposal for the following reasons:

1. Overdevelopment of the area;
2. Risk to flooding
3. 1 &3 Monks Avenue are currently semi detached. This proposal will make them terraced with all the disadvantages that comes with that including devaluation.

No neighbour representations have been received.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH5 and AH7 and Appendix 11 including Supplementary Planning Guidance comprising 'Development Control Standard No.2 'Space Around New Dwellings and Flats' and No. 3 'Extensions and Alterations to Dwellings'
Submission Adur Local Plan (2016). Policies 2, 15 and 21
The National Planning Policy Framework (CLG 2012)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The proposal comprises new housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers, future occupiers living conditions, highway safety and the effect on the character and appearance of the street scene.

The saved Local Plan policies and the Submission Local Plan policies comprise the Development Plan here but the Government has accorded the National Planning Policy Framework considerable status as a material consideration which can outweigh the Development Plan's provisions where such plan policies are out of date; or silent on the relevant matter. In such circumstances paragraph 14 of the NPPF states that where the proposal is not otherwise in conflict with specific restrictive policies in the Framework, development should be approved unless the harm caused significantly and demonstrably outweighs the benefits when assessed against the NPPF overall.

Saved local plan policy AH2 states:

New residential development by way of infilling or redevelopment will be acceptable in the built-up area, providing the site is not allocated for any other purpose in this Local Plan. Any proposal will be expected to be designed so that:-

(a) its appearance, character and scale create a pleasant place in which to live and is in keeping with and enhances the existing local environment with particular attention being paid to the architectural form, height, materials, density and layout of both buildings and associated structures and hard-surfaced areas;
(b) it respects the existing natural features of the site, including land form and trees;
(c) it does not have an unneighbourly effect on existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;
(d) it incorporates adequate standards of residential amenity for the new dwelling(s) in terms of open amenity space, daylight/sunlight, outlook and privacy.
(e) access arrangements to the public highway and on-site parking arrangements are acceptable under Policy AT12; and
(f) it accords with the standards adopted by the District Planning Authority.

This is a brownfield site, albeit garden land, within the built up area boundary. The land is not allocated for any other purpose.

Visual amenity

The proposed dwelling has been revised to reflect the design and scale of the existing pair of semi detached houses. It now includes the angled front ground floor bay and canopied entrance etc. It has a hipped roof to match the existing property and is to be largely rendered and painted, with a brick plinth, to match the existing houses also.

It does not breach the established Grinstead Lane building line as it is still behind the front building line of the chalet bungalow to the north, No.109, which fronts Grinstead

Lane and also houses to the south at 2a Monks Avenue and 119, 121 etc. Grinstead Lane.

In visual terms the application is considered to be acceptable.

Neighbour amenity –

The proposed dwelling has been rearranged so that the bathroom in the new house is paired with the adjoining bathroom to avoid nuisance. The new first floor bedroom window has been relocated from the rear wall and is now in the west facing flank wall in order to minimize intrusion to 109 Grinstead Lane.

A distance of approximately 12 metres is maintained between the rear of the proposed dwelling and the flank wall of the chalet bungalow at 109 Grinstead Lane. This elevation has two secondary windows at ground floor only and as such this distance is considered to be acceptable. There are also a number of tall, dense conifer trees in the garden of 109 on the shared boundary. Adequate light will be received to these windows as they do not directly face the proposed house. Overlooking is avoided with the relocation of the first floor bedroom window. In order to prevent future loss of privacy permitted development rights for extensions to the new dwelling are proposed to be removed by condition.

Residential Amenity - proposed occupiers

The proposed dwelling would have a floor area of 80 sqm, comparable to the two adjoining semis. This is below the minimum national space standard of 93sqm expected for a 5 person 3 bed house. The 2 double bedrooms shown meet the minimum floor space standards and width required. The single bedroom is small at less than 7.5 square metres. Nonetheless the house is of a comparable size to the existing house. The existing house is shown to be modified to incorporate the small front bedroom into the large front bedroom to create a 2 bedroom house, thus meeting the minimum floor space standard for a 2 bed, 4 person dwelling.

Adur's adopted Supplementary Planning Guidance document No. 2 'Space Around Dwellings and Flats' seeks a minimum rear garden depth of 11 metres and a minimum size of 50 square metres for a 2 bed terraced dwelling and 65 square metres for a 3 bed terraced dwelling.

The existing garden has a maximum depth of 6.5 metres, with the rear fence moved back closer to the ditch in line with neighbouring boundaries. The applicant advises this land is in his ownership and that his ownership boundary runs down the middle of the drainage ditch. The division between the existing and proposed boundary has been adjusted to ensure the existing house retains a garden of approximately 55 square metres. The proposed house is expected to be left with a rear and side garden in excess of 65 square metres. The applicant has been asked to provide a new block plan which more accurately shows the garden boundaries. Members will be updated at their meeting. The SPG allows side gardens to be included in any garden calculation providing it is secure and private. The side garden is already behind a front fence of 1.8 metres in height. This will have to be relocated to allow for the new parking space to be

created. The side boundary with Grinstead Lane is defined by 1.8 metre high fencing and planting on the outside edge. The side garden is private to the roads.

The existing house is to be made 2 bedrooms and so a garden area of 55sqm is sufficient. The new 3 bed house will have a garden in excess of 65 sqm, again acceptable in area terms.

The depth of the gardens is less than expected in the SPG but not very different to other adjoining properties in the area.

The shortfall in floorspace for the new dwelling is not considered to be sufficient reason to withhold planning permission.

Parking and access

The application shows the existing crossover to be widened and shared between the two dwellings. One additional off-street parking space for the new dwelling is shown with the existing dwelling retaining a forecourt parking space. WSCC has not raised an objection to the proposal and considers any potential parking overspill can be accommodated in in Monks Avenue in close proximity to the site.

To achieve the require visibility splay they would like to see planting on the western boundary reduced in height to 600mm or less. It is considered appropriate to do this to half the depth of the side garden but beyond this the dense shrubbery is required to provide, privacy, screening and sound reduction to the garden area of the new dwelling.

Flood Risk

The site lies within Flood Zone 3 and has in the past experienced significant surface water flooding. The Environment Agency is not objecting to this proposal and has not required any specific conditions. The EA also believes that the surface water issue was resolved in the recent past by WSCC. The Council's drainage engineer has confirmed that these works did not involve any pipework crossing the site between Monks Avenue and the drainage ditch at the rear of the site and as such is not objecting to the scheme.

A foul sewer crosses the sites rear garden and this is likely to serve a number of houses. Building close to this sewer and connecting to it is a matter for Southern Water. The applicant is aware of the need to obtain their express consent to connect to the foul and surface water drains before commencing any works. Connection to the foul sewer is not a planning matter. Surface water drainage details are and a condition requiring dertails to be submitted is recommended. Surface water drainage is likely to be dealt with by means of a soakaway. If constraints prevent this then the Council's drainage engineer has advised that draining to the ditch is likely to be acceptable.

Conclusion

Lancing Parish Council objects to the scheme on overdevelopment grounds, and the potential exacerbation of surface water flooding. This development is at the margins of acceptability but it is considered that the revised plans overcome previous design

objections and garden space concerns. Neighbour amenity is not significantly affected in the revised scheme and drainage concerns appear to be surmountable. The shortfall in floorpsace is regrettable but not inconsistent with the size of neighbouring properties. The impact on property values is not a planning matter.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. External materials to match
4. No development shall commence until the vehicular access serving the development has been widened and one additional parking space provided with adequate visibility splays – details to be submitted
5. Cycle parking details
6. Construction plant and materials
7. Removal of PD rights for future extensions and outbuildings
8. No new windows
9. Details of fencing, including relocated front fence.
10. Surface water drainage details
11. Rear bathroom window obscure and fixed below 1.7 metres
12. The development hereby permitted shall not be commenced until a scheme for protecting the proposed dwellings and outside amenity areas from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate good acoustic design and shall comply with the internal noise level guidelines set out in BS8233:2014. The scheme shall also try and achieve as far as reasonably practicable the WHO guidelines for external amenity areas. All works which form part of the agreed scheme shall be completed before the permitted dwelling is occupied.'

Informatives:

1. The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

2. 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

3. 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.

4. The applicant is reminded of his riparian responsibility, as landowner, to maintain his part of the ditch at the rear of his garden.

5. 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.