Development Control – Delegated Officer Report

Application expiry 27.02.07

Application Number: ADC/0008/07 **Recommendation – Permit**

Site: **89 Old Fort Road Shoreham-by-Sea West Sussex BN43 5HA**

Proposal: **Demolition of existing bungalow and erection of a four-bedroom flat-roofed house (with first floor front sundeck) with double garage and parking for 2 cars**

The Application

Permission is sought to demolish the existing bungalow on the site and erect a detached, flat-roofed 4-bedroom house with front sun deck , two garages and front parking.

The site measures 17.8m wide and involves the acquisition of part of the existing garden belonging to No.87 Old Fort Road. As a result, the application site is irregular in shape as the plot at No.87 is not as deep as at No.89. Therefore the plot extends to 27.3m deep on the west side, and 34.5m on the east side.

The proposed flat-roof house would be sited mainly on the deeper eastern side of the plot retaining a distance of 13.9m between the rear two-storey elevation and the northern boundary. A distance of 11.0m would be kept between the single-storey element on the west of the property and the northern boundary with No. 27 East Meadway. The front elevation of the two storey section would be 8.75m from the highway with the first-floor balcony projecting by 1.2m and would be 7.55m from the highway. A gap of 1.0m would be retained between the dwelling and the eastern boundary, and a gap of 1.55m would also be retained between the garage and the western boundary.

The property previously had an outline planning application (SU/204/05) for a pair of link detached 3-bedroom dwellings refused on the grounds that :-

Having regard to the size and shape of the plot and its relationship to existing residential properties, the proposal would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in an unacceptable loss of privacy for the occupiers of No.27 East Meadway; and

By reason of their scale, massing and prominent siting, the proposed dwellings would be unacceptably out of keeping with the character and appearance of this part of Old Fort Road which is characterized by low profile buildings.

A later appeal was dismissed for reasons that there would be a significant overbearing effect on the gardens and rear facing rooms of both these houses

(No's 27 & 29 East Meadway). There would also be a material loss of privacy from proposed first floor bedroom windows, particularly in the gardens of these houses. The Inspector also commented that Old Fort Road is a mixture of single and two-storey dwellings in a wide range of designs, and that No.89 is part of a clearly defined group of older bungalows, but even with their chalet design, the height and bulk of the proposed dwellings would be at odds with their immediate surroundings.

Consultations and Representations

Consultations/Comments

WSCC Highways & Transport Services. From inspection of the submitted plan, there is no apparent issue in respects of achievable visibility from the proposed access point. The proposed car parking (with double garage) is inline with the WSCC car parking standards. Cycle parking is to be provided in a separate facility in the rear garden. Pedestrian visibility splays of 2 x 2 metres should be provided on both sides of the new access.

Providing a TAD contribution of £1,625 is secured, no highway objection would be raised.

Third Parties

The owner of No. 27 East Meadway the adjacent property to the north, has written in response to the original submission and the first set of amended plans. Originally there was concern that the applicant had given an incorrect site measurement across its width, 19m instead of the 17.5m as quoted in the their previously refused application. The amended plan shows a site width of 17.8m. The neighbour has commented that they were disappointed to see that the plans were not scaled down proportionally following the necessary correction to the width. They hope that it is accurate as it is now the third width measurement of the site. The unproportional revision is to the detriment of No.27 as it has the effect of bringing the rear boundary of the house within 0.2m of being directly behind my property (as against the 1m quoted on the original layout). This leaves no room for error which is of a concern as the rear building line of the proposed house is only 6m from my rear boundary. After discussion with the planning office, there is no objection based on the assurance that there is 4.2m from the applicant's western boundary to the proposed house and 11.03m from the rear of the proposed garage to the boundary of No.27.

The owner of No.29 East Meadway has also corresponded with questions regarding details of the siting/height of the proposal, the details of the rainwater harvesting and clarification of item 3 of the Design and Access statement which discusses the height of 'proposed' adjacent dwellings rather than referring to the existing. Subsequent emails have been sent to the neighbour at No.29 explaining the discrepancy in dimension of the rear boundary which changed due to the alteration of the site width.

Relevant Planning Policies and Guidance
PPS1 'Delivering Sustainable Development'.
Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE1-3, CH1, ERA1, DEV1, DEV3-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1, AH2, AT12, and Appendix II 'Supplementary Planning Guidance' comprising:- Dev Control Standard No.2 'Space Around New Dwellings and Flats'.
Revised West Sussex Planning Standards and Transport Contributions Methodology.

Planning Assessment
The main consideration of the application are the effect the proposed new dwelling will have on the visual character of the locality and on the residential amenity of the adjacent properties.

The site is located within a residential part of the built-up area and the proposal constitutes redevelopment/infilling as provided for in Structure and Local Plan policies.

Structure Plan policies give weight to making the best use of land provided that the impact on the character of the area and environment is acceptable (LOC1,ERA1, CH1) and subject to policy DEV1 requiring high quality development. Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met; it achieves safe and convenient access by a choice of means of travel; it encourages and enables an increase in walking and cycling.

Policy AH2 of the Local Plan states that new residential development by way of infilling or redevelopment will be expected to be designed so that its appearance, character and scale create a pleasant place in which to live and is in keeping with and enhances the existing local environment; that it does not have an unneighbourly effect on existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook; it incorporates adequate standards of residential amenity in terms of open amenity space, space, daylight, outlook and privacy; access to the public highway and parking provision meets adopted standards.

PPS1 encourages the prudent use of natural resources, sustainable consumption of resources and use of re-newable energy sources.

Residential amenity - privacy
The amended plans show the retention of a garden length of 13.9m on the east side of the plot between the two storey part of the dwelling and the boundary with No.29 East Meadway, and 11m on the west side of the plot between the single-storey part and the boundary with No. 27 East Meadway. This would result in distances of 23.5m between the rear elevation of the proposals and the main rear wall of No.29 east Meadway (20m to the rear of

the property's conservatory) and 22m to the rear of No.27 East Meadway. In the above DC standard the council requires that a minimum 22m is required between principal windows in order to retain privacy, and it is felt that the location of the two storey element, although not satisfying these requirements with regards the conservatory at No.29, would still not lead to an unacceptable loss of privacy from the rear rooms of these properties.

The adjacent bungalow at No.91 has windows in the west elevation which are currently overlooked from the east elevation of the existing bungalow due to the low boundary fences. The proposal would have 1.8m high boundary fences at the rear and obscurely glazed windows which serve ground and first-floor bathrooms in the east elevation which would increase the privacy of the bungalows to the east and west.

The first-floor windows in the west elevation which serve the proposed bedroom 4 and bathroom would both require obscure glazing to prevent excessive overlooking of the rear garden of the bungalow to the west No.87.

Residential amenity – overbearing effect

The application has been amended twice and now shows the attached garage in line with the two-storey front elevation of the proposed dwelling. The 8.75m distance between the building and the road would be in line with the two adjacent bungalows to the east and it is considered would be set back enough from the road to prevent the building from appearing too prominent in it's siting. The house would now retain a 1.5m gap from the east side boundary, and although the flank wall of the building would be 5.68m high, the 4.5m distance between the proposed east elevation and the main section of the bungalow at No. 91 would be enough of a gap to ensure a distinct separation between the building types.

The application as annotated in the first revision showed the two-storey west side elevation 4.2m from the west side boundary, 0.2m from the boundary line of No.27 East Meadway. The most recent revision shows the west side elevation now only 0.14m from the line of the neighbours boundary but it is still considered that this would not have an overbearing effect on the dwelling to the north (No.27 East Meadway).

Visual amenity – character

The existing bungalow at No.89 is 11.5m from the edge of the road and extends some 18m deep with a very small rear garden area approximately 4.5m deep. The front part has a shallow ridged and hipped roof, with an even lower ridge beyond, extending to a rear gable. It has been enlarged on the west side with a side extension (including a garage), which abuts the common boundary.

The property to the west (No.87) is a detached, hip-roofed bungalow (with front and rear dormers with front balcony) occupying a plot which is substantially wider than the bungalows at No's 89 – 93. The existing bungalow at No.87 is located 10m from the boundary with the application site with a detached double garage located in between the two properties adjacent

to the northern boundary. To the east are located two similar style bungalows (No's 91 and 93) both of which have low boundaries and are set back from the road approximately 9m.

Although the existing bungalow is one of three similar in style next to each other in this part of the road, the acquisition of the 4m strip of land from No.87 would alter the proportions of the site and rhythm of the setting of the three bungalows (No's 89 – 93). The existing bungalow is seen against a background of two-storey buildings in East Meadway and it is considered that the proposed dwelling would not appear unduly out of keeping in design or scale for the locality.

Visual amenity – design

The form and appearance of the proposed dwelling would be similar in design to the 'seaside' style flat-roofed houses of which there are examples both original and recently approved in Old Fort Road (including nearby at No's 70 & 78). Although the dwelling would replace a modest-sized bungalow, it is considered the proposed two-storey design would not appear out of keeping within the wider streetscene.

The proposed dwelling will utilise rainwater harvesting as a way of flushing the w/c system in the house and a solar water heating system. The solar panels will be placed on the flat roof of the proposed garage and will be unseen from the road and will not have an adverse effect on the visual amenity of the locality.

The applicant has agreed to enter into a Section 106 Unilateral Agreement to provide payment of £1,625 towards the provision of sustainable transport measures.

Recommendation

APPROVE for reason that :- 2PPi

1. C1Ci.
2. C14Ai – amended (13.02.07. AH2 & DEV1)
3. C7Cii - (AH2 & DEV1)
4. C8Biii.
5. C9F
6. C9N
7. C12Aii – amended (external walls, roofs, balcony supports and cladding).
8. C18Cii – amended
   The windows in the first floor of the west side elevation of the dwelling shall at all times be of obscured glass.
   Reason: *To prevent overlooking and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*
9. C18Ei – amended (... shall be formed in the north, east or west walls...)

10. No development shall take place until a Planning Obligation pursuant to S106 of the Town and Country Planning Act 1990 relating to the application site has been completed and lodged with the Local Planning Authority and the Local Planning Authority has given notification of its approval. The said Obligation shall provide a contribution of £1,625 that will be paid to the Local Planning Authority towards sustainable transport improvements in the area. **Reason:** *To promote sustainable travel and discourage car usage as required by policies DEV4-5 of the West Sussex Structure Plan.*

S.106 Agreement rec'd 23/2

Case Officer: [signature]
Date: 21.02.07

For Head of Planning and Community: [signature]
Date: 22.02.07

Chair of the Planning and Regulatory Committee: [signature]
Date: 23/02/07