Expiry Date – 30/10, EOT sought to 3/12

Development Control – Delegated Officer Report

Application Number: AWDM/1350/19 Recommendation – Refuse

Site: Sherwood House, Southwick Street, Southwick

Proposal: Demolition of 2no. office buildings and construction of 5no. 2 bed houses with associated car parking. (Revised position of unit 5).

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 23/10 with RS

Site and Surroundings

Sherwood House is a former Adur District Council site. It lies to the rear of Manor Cottage off Southwick Street. It has a narrow vehicular access shared with pedestrians at a point. It is within the Southwick conservation area and adjoins Manor House and Manor Cottage, both Grade II listed buildings. 20 Southwick Street, a GP surgery, is also Grade II listed. Michaelmas House to the south east of the site, a substantial family home, has vehicular access across the site. It too is in the ownership of the applicant but does not form part of this site.

Glebe Close to the east and north is a mix of two storey houses and bungalows. Those immediately adjoining the site are bungalows, some with roof extensions.

The site is a minute's walk from Southwick Square, the community centre and theatre. It is on several bus routes and within walking distance of Southwick train station.

The site accommodates two single storey prefabricated buildings set at right angles to one another. Previously in use for B1 office purposes they were vacated when Focus relocated to their new headquarters in Shoreham and Medilink to another vacated Focus office nearby.

Proposal

Permission is sought to demolish the two prefab buildings on the site and to erect 5 two storey houses; a terrace of three houses on the east side and a pair of semis on the south side. All houses have two bedrooms and three have conservatories. They have gardens of between 50 sqm and 66 sqm. The plans show 7 parking spaces. The terrace of 3 has a fairly uniform appearance though the most northerly house projects forward and has its front door in the side wall. The semi detached houses are of different designs and ridge heights to one another.

Materials are described as knapped flintwork and red brick detailing with blue or grey slate roofs and timber double glazed windows.

Relevant Planning History

SW/69/01 – change of use from offices to vet surgery with one consulting room. Granted 15.10.01

SW/51/01 – change of use from offices to vet surgery. Refused 13.8.01

SW/10/92 – change of use from print room to bridge club. Granted 30.3.92

122/77/LB – Erection of single storey prefabricated building (Adur D.C print room). Granted 30.8.77

Consultations

Planning Policy

I am not aware of any discussions regarding the potential use of this site for housing when the new Focus building was proposed and it has never been assessed in the SHLAA.

From a policy point of view, the site is in employment use and Policy 25 of the ALP seeks to retain such uses unless it can be demonstrated that the site/premises is genuinely redundant and that no effective demand exists or is likely to exist in the future to use the land for B class uses.

In this case, whilst the buildings themselves may not be fit for purpose, there does not appear to be evidence that the site itself has been marketed for redevelopment with an employment use. The SPD: Demonstrating Genuine Redundancy of Employment Sites provides details on the evidence that would be required before it can be determined that the site is genuinely redundant. For this reason there is a policy objection to the redevelopment of this site for residential use.

https://www.adur-worthing.gov.uk/adur-ldf/spd-and-guidance/#spd-redundancy-of-employment-sites

Highways

Summary
This proposal is for demolition of 2no. office buildings and construction of 5no. 2 bed houses, with associated car parking. It is located and accessed via private access road, which leads onto the publicly maintained Southwick Street, a C-classified road subject to 30mph speed restrictions.

Access
The planning document states that access to the proposed dwelling will be utilised through the existing access. Visibility at the access point with Southwick Street appears sufficient and data supplied to WSCC by Sussex Police reveals no recorded injury

accidents, caused by the road layout. Therefore, there is no evidence to suggest that the existing access is operating unsafely, or that the proposal would exacerbate an existing safety concern.

The parking demand for the existing use in this location would be greater to that of the proposed; therefore we do not raise any capacity issues.

Parking and Turning
The site layout plan demonstrates onsite parking provision of 7 spaces. The WSCC Car Parking Calculator would expect 6 spaces to be provided for this development, including spaces for visitor parking. There appears to be sufficient space to accommodate the expected parking provision. Space is available onsite for vehicles to turn and egress in forward gear.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Based upon current EV sales rates within West Sussex, active charging points should be provided for a minimum of 20% of all proposed off-street parking spaces. Ducting should be provided to the remaining 80% of parking spaces to provide 'passive' provision for these spaces to be upgraded in future. The applicant is advised that 1 active and the remaining passive EV parking spaces would be anticipated for this development and should be provided in accordance with the above WSCC guidance and Adur Local Plan policy.

Sustainability
The site benefits from being situated in a sustainable area in a close proximity to local shops and bus stop. Southwick train station is approximately 5 min walk. The LHA would recommend that secure and covered cycle parking is provided for the dwellings in order to encourage sustainable transport methods.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the Local Planning Authority are minded to approve this application, the following conditions are advised.

Conditions
Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the proposed site layout. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.'

Council Engineer:

'This application states that the surface water drainage would discharge to a SUDS system, however no details have be provided.
I will require a plan of the existing and the proposed systems.
Calculations of the current impermeable area and the proposed impermeable area run -off indicating volumes and discharge rates.
Therefore, I object to this application on ground of insufficient information on SW drainage.'

Southern Water:

'Please find attached a plan of the sewer records showing the approximate position of a public foul sewer within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:
- The 150 mm diameter gravity foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works. Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" and Sewers for Adoption with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers and rising mains and water mains.

Southern Water requires a formal application for a connection to the foul 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 read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructure-charges

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 disposal of surface water from this development should be in compliance with the following hierarchy of Part H3 of Building Regulations:
a) An adequate soakaway or some other adequate infiltration system.
b) A water course.
c) Where neither of the above is practicable: a sewer.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at 'developerservices@southernwater.co.uk'

Health: *'No objection. Please can you also include an informative, to any decision notice, advising the applicant to contact Environmental Health for a Demolition Notice under the Building Act 1984, prior to any demolition works.'*

Council's Tree Officer: *'In my opinion the building would be too close to the existing tree. Its proximity would impact the appearance of the tree and likely, in my opinion, to create future pressure to greatly reduce or remove the tree.'*

ADCAG: '*Unanimous decision to recommend APPROVAL of this application having been given to understand that the applicants have amended their design after discussion with the local Civic Society.*

However, it was felt that the comments raised by the Snr Tree & Landscape officer should be heeded in regard to one mature tree which will be affected by the new cottages. Even perhaps TPO's being raised on all, similar trees within the site which greatly enhance the area.

It is noted that there is no permanent structure for the wheelie bins which are not only unsightly but tend to be left everywhere. There are many suitable designs on the market in both wood and other materials. As this is a sensitive site within the valued conservation area, members feel this should be included as a condition on any planning approval.

Members have been made aware that apparently the parking facilities do not wholly comply with WSCC guidance.'

Representations

6 objections received summarized as follows:

1. Harm to the setting of the Grade II listed Manor House and Manor Cottage
2. Possible structural damage caused to both due to proximity of proposal
3. Overlooking of Manor House and its private garden
4. Loss of light to Manor House
5. Overbearing to Manor House in terms of height and proximity
6. Development encroaches onto land ion the ownership of Manor House
7. Overlooking of Glebe Close houses and gardens
8. Proposal does not conserve the character of the conservation area
9. Loss or damage to existing trees
10. Phase 2 of the proposal is to development Michaelmas House with flats. This would be an overdevelopment.
11. Poor access. This is shared by pedestrians and school children
12. Bungalows would be more in keeping
13. Overdevelopment. Larger footprint than existing offices.
14. House look small and have small gardens.
15. Bin storage? Access for collection lorries?
16. Parking spaces inadequate in number and size. Potential obstruction to Michaelmas House
17. Parking overspill onto Southwick Street preventing customer access to the community centre etc.
18. Harm to wildlife and their habitats.
19. Loss of office space is harmful to local enterprise and encouraging small start ups.
20. Poor placement of site notice.
21. Increase in noise.

Two letters of support from 27 Glebe Close and Michaelmas House (in the ownership of the applicant).

1. Designed to minimize impact on 27 Glebe Close.
2. Good design
3. Need for housing
4. Current development ugly and potential for squatters
5. Must not damage wall at 27 or cause Ash tree in garden which overhangs thre site to be felled.

<u>The Southwick Society</u>

Originally objected to the proximity and protrusion of unit 5. They have withdrawn their objection in response to the revised position of this unit.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2, 3, 4, 12, 15, 16, 17, 18, 20, 22, 25, 28, 33, 35 and 36 including 'Development Management Standard No. 1 Space Around New dwellings.
Supplementary Planning Document: Demonstrating Genuine Redundancy of Employment Sites
Technical Housing Standards 2015 (DCLG).
West Sussex County Council Guidance on Parking at New Developments August 2019

Planning Assessment

Principle

The principle of development can be supported as it creates houses on a brown field site within the built up area boundary. For consideration is the loss of employment floorspace, impacts on adjoining listed buildings and the conservation area, quality of design, neighbour amenity, future occupiers living conditions and the highway network.

Employment Floorspace

The existing buildings on site are 1970's prefabricated buildings last in use for B1 purposes. They are coming to the end of their useful life and are vacant.

Policy 25 of the Adur Local Plan seeks to retain employment sites unless it can be demonstrated that the site/premises is genuinely redundant and that no effective demand exists or is likely to exist in the future to use the land for B class uses.

In this case, whilst the buildings themselves may not be fit for purpose, there does not appear to be evidence that the site itself has been marketed for redevelopment with an employment use. The SPD: Demonstrating Genuine Redundancy of Employment Sites provides details on the evidence that would be required before it can be determined that the site is genuinely redundant. In the absence of this evidence there is a policy objection to a residential redevelopment.

Listed Buildings

Adur Local Plan

Policy 16: A Strategic Approach to the Historic Environment

The Council will conserve and enhance the historic environment and character of Adur, which includes historic buildings, features, archaeological assets and their settings. Where development affecting any heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.

Policy 17: The Historic Environment
For All Heritage Assets:
Where a proposed development would lead to substantial harm to, or total loss of a designated heritage asset, this will not be permitted unless there are compelling

circumstances. Development should not adversely affect the setting of a Listed Building, Conservation Area, archaeological feature or Scheduled Ancient Monument.
New development which would adversely affect the setting of a Listed Building, in terms of design or materials, will not be permitted.

Para 194 of the National Planning Policy Framework 2019 states:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

And para 196:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposed development, particularly house 5, notwithstanding its revised position, is cramped to the boundary with Manor House and Manor Cottage, both Grade II listed buildings. The proposed houses are considerably taller than the existing buildings on the site. Both the scale and proximity of house 5 will encroach onto the setting of these listed buildings and cause harm. Overall, the development is considered to be cramped including the parking arrangement again harming the setting of these listed buildings.

The scheme will cause less than substantial harm to these listed buildings and the public benefits of the proposed housing does not outweigh this harm.

Conservation area

The site sits within the Southwick conservation area. The removal of the existing prefabs is not objectionable. The proposed redevelopment is considered to be weak in its design and cramped within the plot. It is not considered to be '*of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area.'* The prefabs do not enhance the conservation area. This proposal will neither preserve nor enhance it.

Policy 15: Quality of the Built Environment and Public Realm requires development to:

Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout density, height, size, scale, materials, detailed design features and landscaping. Development should:

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Include a layout and design which take account of the potential users of the site;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area;*

· *Respect the existing natural features of the site, including land form, trees and biodiversity and contribute positively to biodiversity;*

Lighting incorporated into developments should provide the minimum for public safety, be energy efficient, designed to illuminate the target only and avoid light pollution.'

Policy 17 states:

Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area.

The proposal is considered to be weak in its design, form and layout. Whilst the local character is mixed the proposal does not '*respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout density, height, size, scale, materials, detailed design features and landscaping.'* It will not make a positive contribution to the sense of place, local character and distinctiveness of the area.

The Council's Snr Landscape Officer is concerned about the tree in the north west corner outside parking space 1. It would threaten the appearance of this tree and also increase likely pressure from the future householder for its pruning. The Ash tree in the garden of 27 Glebe Close also overhangs the site. The same pressure is likely to be applied to this tree. The appearance of these trees is important to the conservation area as is their future health and appearance. A tree report was requested for any future application at pre-application stage. The landscape assessment submitted is inadequate.

There are no trees within the site. The development leaves little or no scope to plant any due to the access and parking arrangements and small gardens.

<u>Neighbour amenity</u>

Policy 15 also states that development. *'should not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space'.* This advice is backed up in DM Std 1 Space Around Dwellings which seeks :

2.1 The space around and between dwellings/flats is an important factor in the creation of a new pleasant residential environment, contributing to the individual character, identity and appearance of an area. It is also important to ensure that provision of adequate privacy and daylight to individual dwellings/flats. In infill and redevelopment schemes new buildings should respect the existing character and appearance of an area and ensure the retention of adequate privacy for and daylight to existing dwellings/flats.

2.2 The use of density as a criteria for controlling developments is considered to be very crude and will not in itself ensure a good quality of residential environment. It is

considered that generally the specific requirements of a site will usually determine the acceptable density.

2.3 Residential developments, in order to prevent over-developed layouts, should not have an excessive overall site coverage of buildings and hard surfaced areas.

2.4 The space required between buildings is affected by the location of principal windows and the need to maintain privacy between facing windows and allow light to enter such windows. A distance of 22m is the minimum required between facing principal windows in order to retain sufficient privacy. For developments over 2 storeys in height this distance will need to be increased.

Rear Boundaries
2.9 The acceptable distance between the rears of buildings is governed mainly by the distance required to give adequate privacy between facing principal windows, which is 22m in the case of 2 storey developments. However, houses or bungalows should preferably be designed so as to allow for the possibility of future extensions constructed under the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or as amended) as "permitted development".

3. Amenity Space
3.1 The rear garden of a dwelling provides a private outdoor amenity space as well as providing an attractive setting for a dwelling. New dwellings should normally have a rear garden sufficiently large to allow for the possibility of adding small extensions without reducing the garden unacceptably. The size and type of amenity space required should be related to the size of a dwelling/flat and whether it is suitable for family occupation. It will also be affected by the character of the area. The main criteria for assessing amenity space are their depth, area, privacy and daylight.

Depth
3.2 A minimum rear garden depth for two-storey houses is derived from the minimum distance required between the rears of dwellings of 22m, (see 2.9 above). The minimum garden depth is, therefore usually 11m.

The terraced houses each have gardens of 50 sqm. However, they are only 9 metres in depth. These houses have their main bedroom facing rear over the gardens of Glebe Close houses. At this distance a loss of privacy to the gardens and houses will result.

The semi detached houses gardens are 5 metres deep. These gardens will overlook the private rear garden of the Manor House.

The proximity of house 5 to the flank wall of the Manor House will impact on light and outlook to their side windows.

<u>Future Occupiers Living conditions</u>

DM Std 1 addresses the size and shape of private rear gardens in new dwellings as follows:

'Depth
3.2 A minimum rear garden depth for two-storey houses is derived from the minimum distance required between the rears of dwellings of 22m, (see 2.9 above). The minimum garden depth is, therefore usually 11m.

3.3 In some cases a plot may be shaped such that it has very little rear garden but instead a large side garden. This maybe acceptable in some circumstances providing that there is at least 22m between any facing windows and the side garden is enclosed by a screen wall to give adequate privacy, and has a width of at least 11m.

Areas
2 bed terraced dwelling 50 sqm
Small semi-detached and detached dwelling (up to 3 bedrooms or 120 square metres) 85sqm'

The terraced houses each have gardens of 50 sqm. However, they are only 9 metres in depth.

The gardens of the semi detached houses do not meet the required standard of 85 sqm. They are also only 5 metres deep and include narrow side gardens bisected in one case (4) by a proposed conservatory which extends to within 1 metres of the rear boundary. The side garden of house 5 will be overlooked from the Manor House. These gardens are inadequate in size and shape.

The DCLG's Technical Housing Standards 2015 sets a minimum floorspace standard of 70 sqm for 2 bed, 3 person 2 storey dwellings. All proposed houses meet this standard. A 2 sqm storage cupboard should also be provided. Whilst one is shown it also acts as a lobby to the ground floor WC. This makes it impractical for storage purpose use.

<u>Highways</u>

Policy 15 of the Adur Local Plan requires new development to

- *Have safe access to the highway network, and not result in harm to highway safety;*
- *Have acceptable parking arrangements (in terms of amount and layout);*
- *Take into account the need for waste reduction and recycling, both during the construction phase and over the lifetime of the development;*

The Highway Authority has no objection to the proposal. In accordance with policy 28 and the recently adopted WSCC 'Guidance on Parking at New Developments' at least one parking space should be completed with an EV point and the remainder cabled to do so.

REFUSE for the following reasons:

1. It has not been satisfactorily demonstrated that this site is genuinely redundant for employment purposes. The application is therefore contrary to policy 25 of the Adur

Local Plan and Supplementary Planning Document ‘Demonstrating Genuine Redundancy of Employment Sites’ and the National Planning Policy Framework.

2. The proposed scale and proximity of the development to Manor House and Manor Cottage, Grade II listed buildings, would be harmful to their setting. The proposal is therefore contrary to policies 16 and 17 of the Adur Local Plan and the National Planning Policy Framework.

3. The proposal in terms of its form, context, massing, siting, layout, height, detailed design features and landscaping does not respect and enhance the character of the site, or the Southwick conservation area. It will not make a positive contribution to the sense of place and distinctiveness of the area and is therefore contrary to policies 15, 16 and 17 of the Adur Local Plan and the National Planning Policy Framework.

4. The proposal is harmful to adjoining occupiers in terms of loss of privacy, light and outlook. It is contrary to policy 15 of the Adur Local Plan, Development Management Standard No. 1 ‘Space Around New Dwellings and Flats’ and the National Planning Policy Framework.

5. The proposal represents a cramped form of development with inadequate garden sizes and poor arrangement which would be harmful to future occupiers living conditions. The proposal is therefore contrary to policy 15 of the Adur Local Plan, Development Management Standard No. 1 ‘Space Around New Dwellings and Flats’ and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to any representations? Yes.

Case Officer signed:	MOK	Date: 29/11/19
Authorised and signed by:	Peter Barnett	Date: 29 November 2019