exp 12/2

Development Control – Delegated Officer Report

Application Number: ADC/0492/06 Recommendation – REFUSE

Site: **44 Cokeham Lane, Sompting**

Proposal: **Demolition of existing house and outbuilding and erection of 4 three-bedroom semi-detached houses with carport (for 8 cars) accessed from Lotts Lane and cycle stores**

The Application

The application proposes to demolish the existing house and outbuilding and construct 4 three bedroom semi-detached houses with carports for 8 cars and access from Lotts Lane.

The site is located on the corner of Lotts Lane and Cokeham Lane. It contains a very large house, probably late Victorian with rendered external walls and slate covered roofs. The site also contains an outhouse, which is proposed to be demolished as part of the development. The site is surrounded by a flint wall along Cokeham Lane and part of Lotts Lane, the remainder of the frontage with Lotts Lane is enclosed by a smaller red brick wall.

The plot measures 28m in width by 45m in depth and has an area of approximately 0.126 hectare.

Along the north side of Lotts Lane, to the west of the site, are three detached bungalows set well back from Lotts Lane. To the north of the site, is a two-storey flat-roofed block of flats. The proposal is to orientate the proposed semi-detached pairs of dwellings north-south facing east onto Cokeham Lane and to locate a very long carport along the Lotts Lane frontage with an access and parking/turning area in front.

The proposed semi-detached pairs are to measure 8m in depth and 13.8m in width. The houses are orientated on site to front Cokeham Lane to the east and are aligned together in a north-south direction. The semi detached pairs are two storeys, with an eve height of approximately 5m. The access and design statement submitted with the application notes that the semi-detached pairs were designed to be sympathetic to the buildings that are to be demolished, using a restrained style.

Access to the site will be from Lotts Lane on the south western corner of the plot. Parking is provided by a car port structure measuring 21.8m in length, 5.5m in width and 4.7m in height (to the ridge), extending along the width of the plot and fronting Lotts Lane. The carport is to be completed with face brickwork, flint and feather edged boarding and will allow car parking for up to 8 cars. Cycle sheds are additionally located on each of the four plots.

The application also proposes to demolish the existing flint wall and re-use the flints to build a low flint wall closer into the site to allow a footpath to extend around the site. Currently there is no pavement along the Cokeham Lane site frontage, the works will construct a footpath to meet up with the Lotts Lane footpath together with alterations and improvements at the road junction.

There is a Tree Preservation Order on a mature Yew tree located on the frontage to Cokeham Lane approximately half way along the site. The proposal notes that the tree is an important feature in the road and has been incorporated into the new footpath, which will now run around the western side of the tree.

Consultations and Representations

County Transport Planning Services: No objection subject to further information being provided. Specifically requests an amended Stage 1 Safety Audit with a designer's response (and revised plan) to the recommendations made in the Safety Audit, the main aspect of which is that the access should be located further east and the whole southern wall lowered to 0.6m to provide sufficient sight lines. It is also stated that the plans need to be amended to correctly illustrate the priority at the junction of Lotts Lane with Cokeham Lane and illustrate a swept path analysis for HGVs plus details on how pedestrians will be catered for around the TPO tree on the Cokeham Lane frontage and queries whether its condition is such that it can be within the highway boundary as proposed.

County Planning Services: *The Conservation architect* has informally advised that the architectural style of the dwellings is appropriate to the area, however the proposal appears to be overdevelopment of the site. It was also noted that the removal of the flint wall would be an inappropriate loss.

Director of Services:
The *Assistant Parks Manager* has advised that the proposed works to the Yew tree (subject to a TPO) on the site should be approved. The works involve removing 15-20% of the crown from the west

side to balance the tree and the removal of epicormic growth and crown lifting up to 3-4m. It is also noted that the tree protection measures during the works on site as outlined by a report by Connick Tree care should be enforced.
The *Environmental Health Officer* has no objection.

Sompting Parish Council: Strongly objects to the proposal which they feel would destroy one of the last remaining historic buildings in the village adjacent to the Conservation Area. The Council state that the proposal is overdevelopment of the site and note reservations about access to the car port which could create a hazard for pedestrians on a road used by a large number of school children.

Third Parties

6 letters of objection have been received from near by residents along Lotts Lane.

The following issues and concerns are raised by the objectors:-

- The increased traffic caused by the development, particularly in relation to the safety of young children going to and from school. Schoolchildren use this route to go to Templars, White Styles and Boundstone schools.
- The access will be dangerous as drivers will not be able to clearly see traffic or pedestrians approaching;
- Parking provision may not be sufficient as it is already an issue along Lotts Lane;
- Loss of privacy to adjoining neighbours. The position of the houses means that there will be four bedrooms directly overlooking the adjacent garden area to the west over 'Sunnybrae' 5 Lotts Lane;
- The residents on the south side of Lotts Lane will look at a carport instead of a Victorian villa;
- Overdevelopment of the site, out of character with the surrounding buildings;
- Loss of the existing building, a large elegant Victorian double-fronted house, which is a distinctive feature of the area; any alterations to existing building or the flint walls would result in a significant loss of character to the area;
- The carports facing Lotts Lane would present an aspect in complete contrast to the existing character of the area, and
- Potential damage to the yew tree on site which is protected by a tree preservation order.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (WSCC 2005) LOC1, CH1, CH4-5, NE1-2, ERA1, DEV1, DEV4-5
Adur District Local Plan 1993-2006 (ADC 1996) AG1, AH1-2, AH5, AT12 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/ADC 2004)
Planning Policy Statement PPS1 "Delivering Sustainable Development"
PPS3 "Housing"
Design Bulletin 'Trees and Landscaping' (ADC 1996)

Planning Assessment

Planning Policies

The site is within a residential part of the built-up area in the Local Plan. Both Local and Structure Plan policies (AG1, H1-2, LOC1, ERA1 and CH1) generally encourage new residential development by way of infilling and redevelopment within the built-up area, in order to avoid 'greenfield' development.

However, the policies also contain provisos requiring development not to detract from the existing local urban environment (AG1) and to have an acceptable impact on the character of the area (LOC1). DEV1 requires high quality development and that it should have regard to local context including varied traditions and character; the characteristics of the particular site, the landscape, townscape and streetscape, building styles; and to create a sense of place through the use of distinctive buildings and landmarks.

DEV4 requires that the transport needs of the development be assessed and ensure that a choice of transport is available to minimise motorised journeys. DEV5 requires that whilst sufficient car parking should be provided on site, the car parking should not be provided where alternative means of transport are a realistic option.

AH2, dealing with infill or redevelopment of sites, requires that each proposal should be designed so its appearance, character and scale create a pleasant place to live, in keeping with the local environment, with particular attention being paid to architectural form, height, materials, density and layout of both buildings and

associated structures and hard surfaces; so it does not have an unneighbourly effect due to loss of privacy, daylight/sunlight, outlook or open space; so that it incorporates the adequate standards of residential amenity for new dwellings in terms of garden space, daylight, outlook and privacy; so that there is adequate access and parking provision; and accordance with the Council's DC Standard No. 2 'Space around New Dwellings and Flats'.

Government Guidance in PPS3 encourages best use of urban land for housing development at higher densities but also encourages good design and layout which can help to achieve the Governments objectives of improving the quality and attractiveness of residential areas.

Character and Visual Amenity

The design and access statement submitted by the architect states that the area is residential comprising a mixture of dwelling types, mainly two storey with some bungalows, noting that there is no predominant style. This is not disputed.

However, the application site, situated on a prominent corner, currently comprises a large Victorian house, surrounded by a flint/brick walls (plus hedging and a large yew tree), with an outbuilding on the corner. The house and site as a whole forms probably the most distinctive feature in an environment otherwise relatively lacking in character apart from some scattered cottages along Cokeham Lane. Policy DEV1 places considerable weight on creating high quality development with a sense of place. In this instance, whilst the existing buildings are not listed nor in a Conservation Area, it is considered that they are superior in terms of quality and distinctiveness compared to the proposed new development. Policy CH5 states that the character and setting of unlisted buildings or groups of buildings should be protected and where possible enhanced.

The proposed new semi-detached houses themselves, which are in a style not out of keeping with existing traditional buildings in the area, are very plain and clearly inferior to the quality of the existing house to be demolished. Moreover, their layout on the plot is such that only their side elevation over the large carport would be viewed from Lotts Lane. Additionally their proximity to each other, only 1m apart, and the location and design of the carport would appear cramped and result in a sense of overdevelopment of the site.

The existing 'building line' on the northern side of Lotts Lane is substantially set back from the road, the adjacent property to the west 'Sunnybrae' (No. 5 Lotts Lane) being set back approximately 17m from Lotts Lane. The existing Victorian house on the application site is also set well back, by approximately 18m.

The proposed carport would be located only 6m from Lotts Lane and would extend across the full plot frontage. It is considered that this proposed layout of the site, particularly the location of the carport, is wholly out of keeping with the predominant character of the area and would have a significant detrimental visual impact on the streetscape.

The Council's Development Control Standard No 2 'Space around New Dwellings and Flats' notes that '...the visual impact of parking areas is an important consideration' in assessing applications. It is noted that 'front gardens which consist entirely of parking bays are not usually visually acceptable'.

Residential Amenity

The standards for the separation between dwellings and general amenity areas referred to here are taken from Council's Development Control Standard No 2 'Space Around New Dwellings and Flats'.

The proposed houses all have a rear garden depth of approximately 10.5m and an amenity area of 75m^2. The length of the rear gardens is only marginally below the standard of 11m and the rear garden area of each is not considered excessively less than the standard of 85m^2 for three-bedroom dwellings.

Each house is set back approximately 4.5m from Cokeham Lane. There is an approximate distance of 11m between the rear windows of the southernmost semi-detached pair and the adjacent bungalow to the west 'Sunnybrae' (5 Lotts Lane). This distance is below the required standard of 14m. The rear elevation of each of the proposed dwellings contains two first-floor bedroom windows and the location of the northern semi-detached pair opposite the rear garden area of 'Sunnybrae' would result in overlooking and loss of privacy. The northern semi-detached pair also extends significantly past the rear of the adjacent dwelling, protruding out 13.4m. This would result in an excessive overbearing impact on that property.

The side of the flats to the north, which have many side windows facing the site, would be only 8.5m from the side wall of the proposed northernmost house. Whilst the proposed house is shown further forward than the flats and only overlaps by about 3m with the side of the flats, it would tend to be overbearing, especially as it is to the south. The flats would also overlook the rear garden of this proposed northernmost house.

Trees

There is a relatively large mature Yew tree on the site located adjacent to Cokeham Lane made subject to a TPO in 1976. As a result of the proposed demolition of the boundary wall and the provision of a footway along the Cokeham Lane frontage, this would become located within the highway.

Local Plan policies state that the local authority will make TPOs to safeguard existing trees where their loss would have an adverse effect on the existing and future environment and its enjoyment by the public. Policies AB24 and AB25 state that felling trees with TPOs will only be granted in exceptional circumstances and planning permission for development which would adversely affect existing trees will only be granted where the trees are of poor health or of little amenity value. It is also stated in policy AB26 that sufficient space shall be left around trees to avoid threatening their survival. This is also stated in the Council's Design Bulletin on Trees and Landscaping, which additionally defines safe distances for works around trees in order to protect their general health.

Two trees on the site are described in detail in the Tree Report commissioned by the applicant, the Yew tree within the TPO and an Elder which is recommended for removal. The report recommends the special precautions that would need to be taken during construction work. The proposed 'tree protection barrier' for the yew tree to be retained is illustrated in an appendix to the report as running just in front of the proposed houses, 6m away from the trunk of the Yew tree and out to 8m elsewhere around the tree. Based on the information provided in the Tree report, the distance of 6m appears to accord with the minimum distances for protective fencing around trees as outlined in Council's Design Bulletin 'Trees and Landscaping'. Minor works are also recommended in the Tree report to be carried out on the Yew tree including reducing the west laterals by 15-20% to balance the crown, lift the crown to 3.5m and remove the epicormic growth. Council's Assistant Parks Manager has advised that these minor works are acceptable but any works to the TPO Yew tree would be the subject of a separate application.

Council's Design Bulletin states that trees, to avoid being put under future threat, usually require much greater distances than those needed to avoid foundation damage, to the buildings because of problems such as overshadowing, blocking of daylight and sunlight to windows and damage from falling branches and debris. The yew tree is located directly in front of the entry way and hall areas of the proposed dwellings. Whilst these are not habitable rooms, the proximity of such a large evergreen tree could well be found excessively overbearing by the future residents of the houses. It is considered that the houses need to be further away from this tree.

Parking and Access

The application was submitted with a Stage 1 Safety Audit which contained a number of recommendations including repositioning the proposed vehicle access further to the east, reducing the flint wall to 0.6m high to improve sight lines, incorporating the dropped kerb and tactile paving into the design and ensuring adequate street lighting for the junction.

WSCC Highway Liaison Officer has advised that they require a Designer's Response and amended drawings illustrating that the Audit's recommendations; information to clarify the junction configuration of Lotts Lane with Cokeham Lane; a swept path analysis for HGV's; details on how pedestrians will be catered for around the TPO tree on the Cokeham Lane frontage and a detailed report on the condition of the TPO tree. In their pre-application advice, WSCC opposed vehicular access to the proposed development from Cokeham Lane, stating Lotts Lane was preferred in terms of road safety. Policy DEV4 of the Structure Plan and policies AH2 and AT12 of the Local Plan require safe and adequate access for development and, providing the information and amendments as requested by the Highways Liaison Officer are incorporated into the proposal, it does not appear that the proposal would conflict with these road safety policies.

As noted above, parking is to be provided in a large carport structure, which has the capacity to contain up to 8 cars (two parking spaces for each house). Each house is also provided with a cycle store in their rear garden. The car parking provision is consistent with the maximum standard in the Council's Development Control Standard No. 1 'Car Parking Standards'.

Under the adopted revised West Sussex Parking Standards and Transport Contributions Methodology, a section 106 Obligation is

needed in which the owner undertakes to pay a contribution (calculated under the adopted formula) towards the improvement of sustainable transport facilities in the area, to discourage car usage and mitigate the effects of the proposal. The calculated figure is approximately £4,700 and it is understood that the applicant has progressed the section 106 Obligation.

Recommendation

REFUSE on grounds that:-

1. The proposals would detract from the existing environmental quality of this prominent site and not create a high quality development having sufficient regard to the characteristics of the site and the contribution it makes to creating a sense of place. The proposed buildings would lack the distinctiveness of the existing house and would also appear cramped and too close to an important tree subject to TPO. The development would therefore be contrary to policies AG1, AB25 and AH2 of the ADLP and LOC1, CH5 and DEV1 of the WSSP.

2. The proposed layout of the development relative to the orientation and shape of the plot and its relationship to the existing adjacent dwelling and flats would be unneighbourly and would constitute overdevelopment detrimental to the residential amenities of the locality.

Case Officer:.....

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Date:.....