Planning Statement

January 2020

Land South Of 107A Gardner Road, Southwick, West Sussex

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Planning Statement

Introduction

Introduction

This Planning Statement is in support of a Full Planning Application for the erection of a two storey dwelling on Land South Of 107A Gardner Road Southwick West Sussex.

This statement should be read in conjunction with the submitted existing and proposed plans and Design and Access Statement.

This statement provides information on the background to the site, relationship to surrounding buildings, planning policy at a national, and local level and an assessment and justification of the proposal. The statement has been prepared in full accordance with Government guidance, including DCLG Guidance on information requirements and validation for planning applications.



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Site and Surroundings

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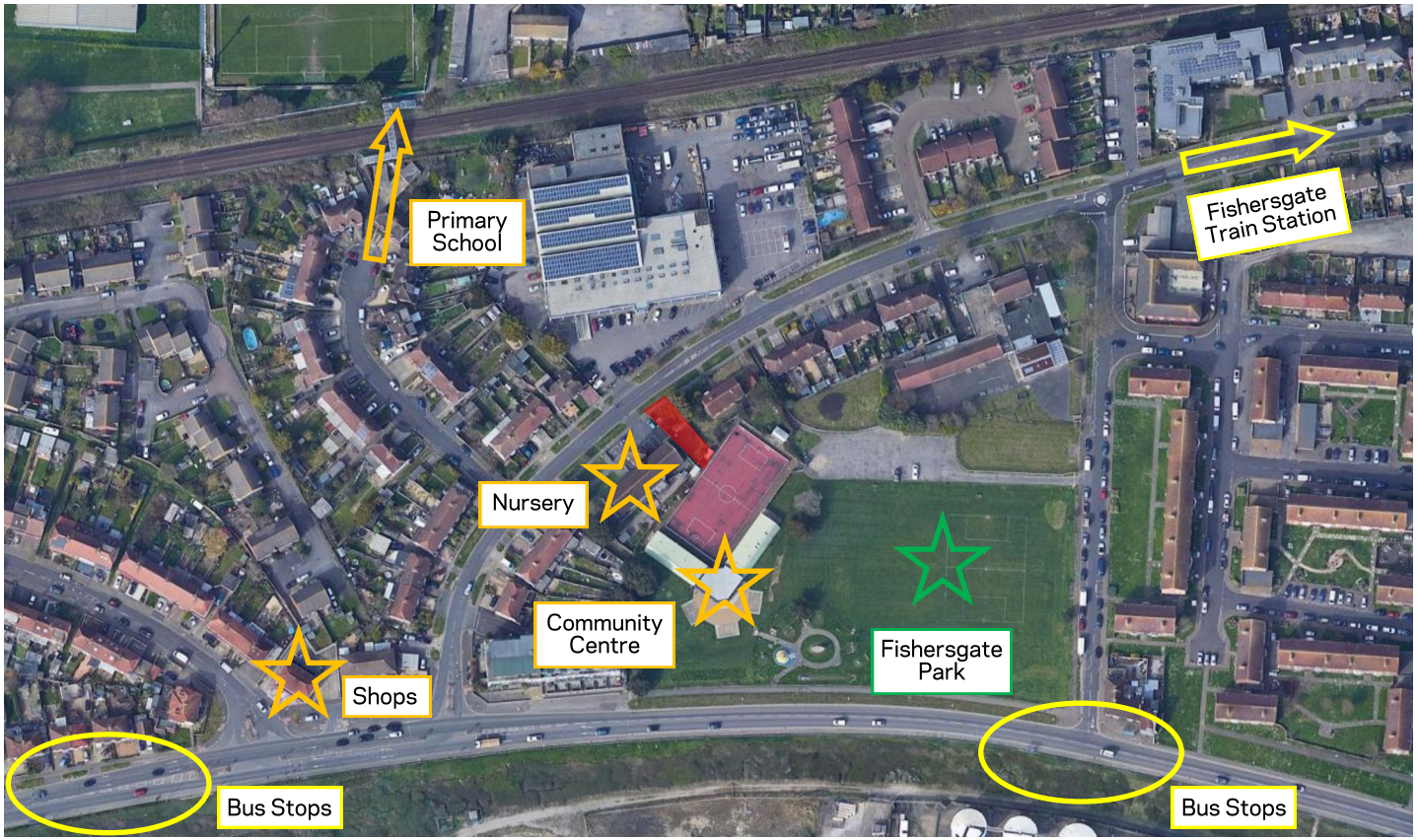
The site falls on the south-eastern side of Gardner Road, with the Stepping Stones Nursery on the western boundary and residential dwellings to the east. To the rear of the plot is Fishersgate Park, a popular local public amenity area with sports pitches and children's play area.

The area is primarily residential in nature, with some aspects of commercial space, notably Sinnis House.

The site is within easy walking distance of buses, providing a service to Littlehampton in the west and Brighton in the east.

The nearest school, Eastbrook Primary Academy, is an 11-minute walk to the north.

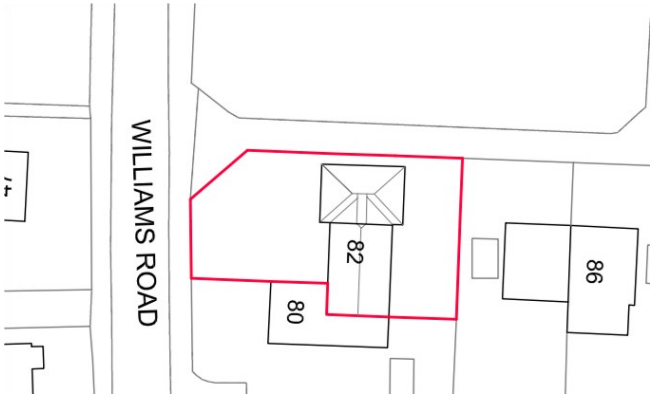


Site and surroundings

Relevant Planning History

AWDM/0927/19 - APPROVED - 14th August 2019
82 Williams Road, Shoreham
Demolition of existing garage and construction of 1no 2 bedroom house to north elevation

"The proposed house has a floor area 67 sqm, which falls 3 sqm short of the space standard in the Technical Housing Standard for a 2 bed 3 person two storey house. This shortfall is not significant. The floorspace to the existing house is unaffected. The existing house will have a rear garden of 46 sqm, just short of the 50 sqm identified in DM1 'Space Around Dwellings'. The proposed house will only have a 29 sqm rear garden. However, as the house adjoins a large area of public open space it is not considered that permission could be withheld for this shortfall."



Planning Policy

Section 38(6) of the Planning Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 38(3) states that the Development Plan includes the Regional Spatial Strategy and other Development Plan Documents.

National Planning Policy Framework (NPPF)

Paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development. This is continued in paragraph 8 which states that achieving sustainable development means that the planning system has three overarching objectives:-

- Economic – to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time.
- Social – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being;
- Environmental – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land.

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirements of an area, and are often built up relatively quickly.

Local Planning Authorities should identify and update annually supplier's specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirements set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. The supplier specific deliverable sites should in addition include a buffer of:-

- 5% to ensure choice and competition in the market for land, or;
- 10% with a Local Planning Policy wishes to demonstrate a 5 year supply of deliverable sites for an annual position statement or recently adopted plan;
- 20% where there has been a specific under supply of housing over the previous three years.

Paragraph 103 states the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the needs to travel and offering a genuine choice of transport modes. This can help to reduce congestion emissions and improve the air quality and public health.

Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 118 states that planning policies and decisions should:-

- encourage multiple benefits from both urban and rural land;
- give substantial weight to the value of using suitable Brownfield land within settlements for homes and other identified needs and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- promote and support the development of under-utilised land and buildings, especially if this would help to meet the need for housing where land supply is constrained and available sites could be used more effectively;
- support opportunities to use the air space above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including, comply with any local design policies as standards), and can maintain safe access and egress for occupiers.

Paragraph 122 states that planning policies and decisions should support development that makes sufficient use of land, taking into account:-

- the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- local market conditions and viability;
- the availability and capacity of infrastructure and services;
- desirability of maintaining an areas prevailing character and setting;
- the importance of securing well designed, attractive and healthy places.

This is continued in paragraph 123 which states that where is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning polices and decisions avoid homes being built at low densities, and ensure developments make optical use of the potential new site. In these circumstances:-

- Plans should contain policies to optimise the use of land in their area and meet much of the identified need for housing as possible.
- The use of minimum of density standard should also be considered for other parts of the plan area.
- Local Planning Authorities should refuse applications which they consider fail to make efficient use of land.

Paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and help make development acceptable to communities.

Local Plan Policy - Adur Local Plan 2017

The Adur Local Plan was adopted at a meeting at Adur Full Council on the 14th December 2017. The new Local Plan sets the strategic development and land use priorities for Adur up to 2032 and contains the policies against which development management decisions within that area will be made. It replaces the saved policies of the Adur Local Plan 1996 as the Council's Local Plan.

Policy 15 relates to the quality of the built environment and the public realm. It states that 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 takes account of the potential users of the site;
- incorporate the principles of securing safety and reducing crime through design;
- make a positive contribution to the sense of place, local character and distinctiveness of an area, and not have an unacceptable impact on the adjacent properties, particularly residential dwellings including unacceptable loss of privacy, daylight/sunlight/outlook or open amenity space;
- respect the existing natural features of the site, including land form, trees and bio-diversity and contribute positively to bio-diversity;
- have safe access to the Highway Network;
- have acceptable parking arrangements;
- take into account the need for waste reduction and recycling.

Policy 20 of the Adur Local Plan states that all new dwellings will be expected to meet the nationally described space standards. New housing should also achieve a water efficiency standard of no more than 110 litres/person/day (lpd).

Space Around New Dwellings and Flats

This Development Management Standard is concerned with minimum standards for residential development. It is largely aimed at the provision of dwellinghouses and flats, as well as small infill and redevelopment sites. It states that in the case of small detached, semi-detached and end of terrace dwellings a minimum gap of 1 metre should be provided between any wall of the dwellings and the side boundary.

Furthermore, the position of a building on a plot should also take into consideration the position of buildings on adjoining plots either side. Dwellings should not project significantly beyond the rear of adjoining dwellings particularly if they are close to site boundaries since this would be over-bearing and lead to a loss of light and outlook. A general rule of thumb guide is that there should be no development beyond a 45 degree line measured from the nearest rear window of the habitable room in the neighbouring dwelling.

Additionally, 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 minimum garden depth is, therefore usually 11m. It should be noted however that where the rear of one dwelling backs onto the side of another, 14m is required between the dwellings, and this may necessitate a garden of over 11m depth.

The area required for a rear garden depends on the size of dwelling/flat that it is proposed to serve. The table below summarises the Council's requirements for dwellings.

Dwelling Type	Garden Area required (square metres)
2 bed terraced dwelling	50
3 bed terraced dwelling	65
Small semi-detached and detached dwelling (up to 3 bedrooms or 120 square metres)	85
Large semi-detached and detached dwellings (4 bedrooms or over 120 square metres)	100

Pre-Application Enquiry

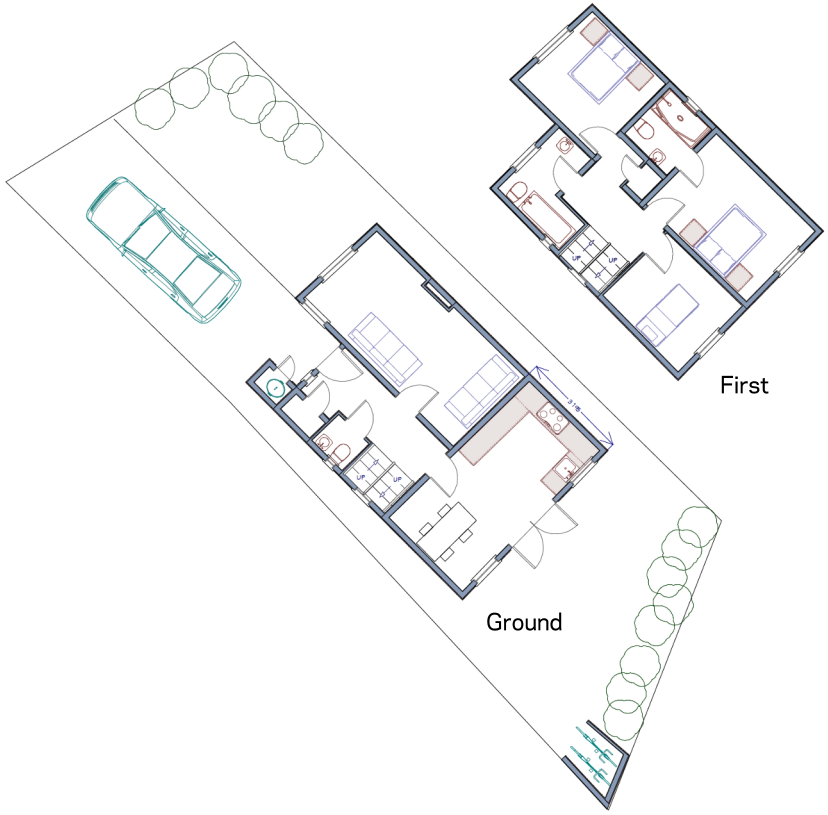
PREAPP/0499/19
Land adjacent St Peter's Church, Gardner Road, Southwick
13th August 2019

"The site lies within the built up area and is unallocated for any particular use or development. Your proposal would result in the construction of a new dwelling and is supported in principle.

In terms of proportion and design it appears that a new house could be constructed on the plot without appearing unduly cramped. However, the garden area for the new house should meet the external space standards as set out in the Council's adopted Development Management Standard No.1 "Space Around New Dwellings and Flats." For ease of reference, the standards require a garden area of 85sqm for houses with up to 3 bedrooms and it would appear that the rear garden may fall short of this figure. Furthermore, it is unclear as to the extent of garden to be retained for the existing house. This should also meet the Council's minimum external space standards.

The design of the house is described in your supporting information but the drawings lack detail. However, the approach you have outlined appears to be acceptable.

With regard to the site being within the consultation distance of a hazard site, I note your submitted document which suggests that the HSE do not advise against development. However, I have also sought their advice via their Web App and, because of the proximity of the site to a hazard, the consultation could not be completed on line this time. The HSE has advised that as this is only a pre-application enquiry at this stage they will not provide a further response. You are therefore advised to contact them direct."



Indicative Plans submitted as part of the Pre-Application submission

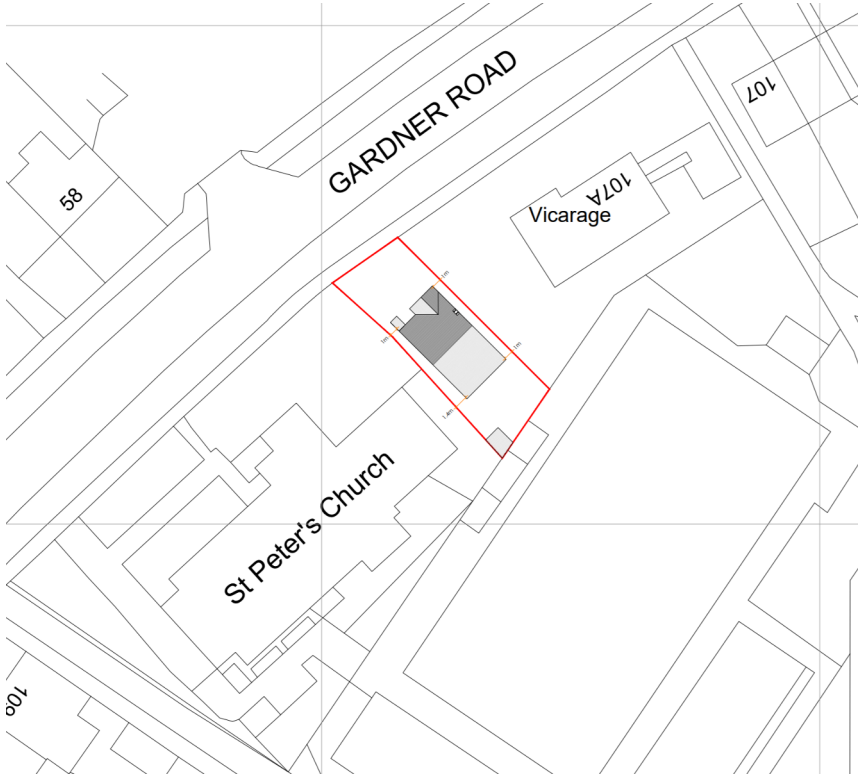
Post Submission Comments

7th January 2020

"I have been considering your application for the new dwelling.

The site shown on the submitted Block Plan appears to be narrower than that shown on the pre-application site plan, with less space to the sides of the proposed dwelling. The proposed building is also larger, with a greater footprint. The rear garden is just over 6m deep and has an area of approximately 50sqm, substantially less than the 85sqm specified in the Council's guidance for 3 bedroom detached dwellings.

The resulting development has a cramped appearance within a narrow plot. Is there any scope to increase the width of the plot slightly? A reduction in the depth of the building would also help, perhaps reducing the house to a 2 bedroom property, to enable a greater amenity area to be provided. The roof is quite large and I anticipate future requests to convert the attic into further bedroom space so the site needs to be of sufficient size to accommodate any future expansion plans."



Proposed Layout Plan

Planning Statement

Material Considerations

Principle

As set out in the Pre-Application Advice, as the site *falls within the built up area and is unallocated for any particular use or development",* the principle of a new dwelling is considered acceptable.

Use

The proposed building equates to a 106m^2 3-bedroom detached family house in a primarily residential area. The use is therefore entirely appropriate for the area.

Building Line

The position of the dwelling has been carefully considered with regards to the street scene and its relationship with neighbours. The position also allows for the introduction of an off-road car parking space for the proposed dwelling.

Footprint & Depth of building

Following a positive Pre-Application Enquiry, the applicant received some Post-Submission Comments. Regarding the footprint and depth of the building, the Planning Officer stated that:

"The site shown on the submitted Block Plan appears to be narrower... a reduction in the depth of the building would also help, perhaps reducing the house to a 2 bedroom property."

As a starting point, the applicant wishes to be clear that the site size has remained the same since the Pre-Application Stage and through to submission.

However, that aside, the Planning Officer has suggested a reduction in the footprint and depth, with the suggestion aimed solely at increasing the private amenity space serving the property. This is reviewed in detail later in this Statement.

Taking the footprint and depth in isolation, the building relates well to the position of its neighbours and the general plot size. As a result, the building responds positively to the streetscene and the character of the area as a whole.

Neighbour Amenity

The position of the dwelling in the plot has maintained an appropriate relationship with its neighbours. No windows are proposed within the north facing elevation of the dwelling, with two bedroom windows at the first floor level overlooking the rear garden, together with a bedroom and bathroom facing the front.

Design

Following a positive Pre-Application Enquiry, the applicant received some Post-Submission Comments. Regarding the design, the Planning Officer stated that:

"The roof is quite large and I anticipate future requests to convert the attic into further bedroom space so the site needs to be of sufficient size to accommodate any future expansion plans"

The design approach aims to respond positively to the character of the area. Whilst most properties within Gardner Road are either semi-detached or terraced, the plot size provides the opportunity to deliver a detached dwelling, whilst maintaining character traits such as proportion and scale.

The suggestion from the Planning Officer is that the roof is "quite large", however, this is the same as its neighbours and is not considered to be out of character.

Regarding the opportunity of expansion plans, should a future occupant wish to make alterations, these would be subject to a future planning application and would considered against Planning Policy at that time.



PROPOSED FRONT ELEVATION
(NORTHWEST ELEVATION)

Transport

The site is well located in terms of access to public transport, with bus stops within a 3-minute walk and the Fishersgate Train Station a short 6-minute to the east. Given these proximities, it is considered that the site falls within a very sustainable location and represents an ideal location for a new dwelling.

Sustainability

Paragraph 8 of the NPPF sets out the three key aspects of Sustainable Development:

- Economic
- Social
- Environmental

Considering these aspects against the proposals, the development would achieve the following:

<u>Economic Benefits</u>

- The creation of construction jobs.
- The creation of other jobs in supply chain and wider construction related activities.
- Additional household expenditure and tax income benefitting the local area.
- New homes bonus

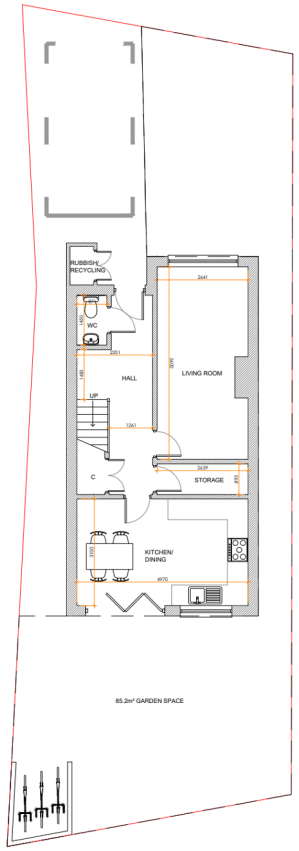
<u>Social Benefits</u>

- The delivery of new homes in a borough with a very significant and serious shortfall of housing delivery.
- Development in a sustainable location in a settlement with a suitable range of facilities to support future residents.

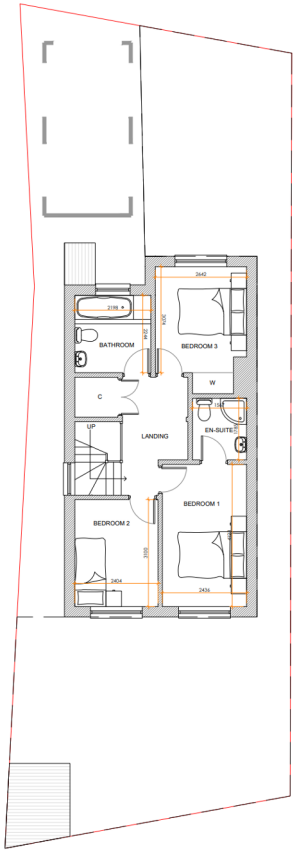
<u>Environmental Benefits</u>

- Protecting and enhancing the natural built, and historic environment by developing on a site with no specific environmental or heritage designations.
- Sustainable form of construction reducing the pressures on energy.
- A sustainable location of the proposal means that future residents have the option of using sustainable forms of transport for everyday trip to use services/facilities.

It is considered therefore that the proposed development would generate significant economic, social and environmental benefits and there are no adverse impacts that would significantly and demonstrably outweigh said benefits.



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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Tilted Balance

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 14 recites the presumption in favour of sustainable development, and then defines this to mean for decision taking:

- approving development proposals that accord with the development plan without delay and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or
    - specific policies in this Framework indicate development should be restricted

Before understanding these policies in context, it must first be understood the statutory basis for decision taking in planning. Specifically, section 38 (6) of the Planning and Compensation Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Applying Paragraph 49 – the first stage

The Supreme Court (Suffolk Coastal District Council v Hopkins Homes Ltd & Anor [2017] UKSC 37) found that there were two distinct issues in paragraph 49.

Firstly, the judges adopted a narrow interpretation of what is meant by 'policies for the supply of housing'. Namely, it is only housing supply policies that are to be considered 'out of date' in paragraph 49. The judges disagreed with the Court of Appeal that such term should be extended to other policies that 'affected' housing supply.

The second issue was more simply a question of fact as to whether or not there was a five year deliverable land supply. If there was no such five year supply then paragraph 14 was engaged. The Supreme Court noted that it mattered not what policies caused the lack of five year supply.

Applying Paragraph 14 – the second stage

If there is no five year land supply then paragraph 14 is engaged. Paragraph 14 provides for what is commonly caused the 'tilted balance' in favour of granting planning permission. Namely, planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

Two issues are important to understand in relation to paragraph 14.

Firstly, the development plan (including the housing supply policies) retains its statutory force under section 38(6) but the focus shifts to 'other material considerations'. The 'other material considerations' will then be determined in accordance with the national guidance in paragraph

Secondly, whilst the housing supply policies are to be considered out of date for the 'other material consideration' assessment (the narrow interpretation) planning weight may still be given to other policies in the development plan. However, such weight must be considered on the 'significantly and demonstrably outweigh the benefits' test founded on the golden thread of sustainable development. This 'tilted balance' test is a matter of planning judgement and the weight to be given to remaining local development plan policies is a matter for the decision maker.

As Adur & Worthing Borough Council is unable to meet it's Fiver Year Housing Land Supply, this titled balance applies. Therefore, to refuse planning permission, then concerns need to 'significantly and demonstrably outweigh the benefits'.

Proposed Residential Amenity Space

As set out in the Post Submission Comments, the proposed residential amenity space equates to approximately 50sqm, *"substantially less than the 85sqm specified in the Council's guidance for 3 bedroom detached dwellings."*

However, as the "titled balance" is in play, consideration needs to be given as to whether the difference in required amenity space, 35sqm, represents "significant and demonstrable" harm.

In understanding if this does represent harm, it is necessary to review how the Local Planning Authority has treated other similar applications. As set out in the Relevant Planning History section, an application, under similar circumstances, was approved in August 2019. The Planning Officer in determining that application Marie O'Keeffe / Peter Barnett stated that:

"The proposed house has a floor area 67 sqm, which falls 3 sqm short of the space standard in the Technical Housing Standard for a 2 bed 3 person two storey house. This shortfall is not significant. The floorspace to the existing house is unaffected. The existing house will have a rear garden of 46 sqm, just short of the 50 sqm identified in DM1 'Space Around Dwellings'. The proposed house will only have a 29 sqm rear garden. However, as the house adjoins a large area of public open space it is not considered that permission could be withheld for this shortfall."

In the instance of this application, the Planning Officer considered the proximity of public open space was sufficient to overcome and address the shortfall in on-site delivery.



Turning to the proposed development, the site is located immediately adjacent to Fishersgate Park, a popular public open space. This space includes sports pitches, and a children's play area (shown below). This is accessible from the site by way of a footpath, representing a 100 yard walk "door to door" (1-minute).

It is therefore considered that the application determined in August 2019 demonstrates that for a site in close proximity to a public open space, a reduction in private amenity space against the Space Around New Dwellings and Flats SPD is acceptable.

In addition, as set out in the SPD, the required provision of private amenity space should take into consideration *"the character of the area"*. The below represents the rear garden sizes of nearby dwellings:

85 Gardner Road	50sqm
87 Gardner Road	55sqm
89 Gardner Road	64sqm
91 Gardner Road	57sqm
93 Gardner Road	54sqm
95 Gardner Road	50sqm
97 Gardner Road	52sqm
99 Gardner Road	44sqm
101 Gardner Road	59sqm
103 Gardner Road	56sqm
105 Gardner Road	64sqm
107 Gardner Road	66sqm

Taking these properties as an average, this equates to 55sqm. Therefore, the provision of 50sqm is not significantly different to the character of the area - especially when read in the context of a large front garden.

Planning Statement

Summary

Summary

This Planning Statement is in support of a Full Planning Application for the erection of a two storey dwelling on Land South Of 107A Gardner Road Southwick West Sussex.

As set out in the Pre-Application Advice, as the site falls within the built up area and is unallocated for any particular use or development", the principle of a new dwelling is considered acceptable.

Post-Submission Comments focus on some minimal concerns:

- Proposed private amenity space
- Proposed Building Width
- Proposed Building Depth
- Potential future development

As demonstrated, Adur & Worthing Borough Council is unable to meet it's Five Year Housing Land Supply, therefore the titled balance applies. Given this, to refuse planning permission, then concerns need to 'significantly and demonstrably outweigh the benefits'.

Regarding the key concern, amenity space, as demonstrated there is no significant harm. This position is supported by a recent planning application, approved under delegated powers in August 2019, which provided for only a 29 sqm rear garden - compared to 50 sqm at 107A Gardner Road.

Lastly, as the Space Around New Dwellings and Flats SPD accepts, local characteristics need to be taken into consideration. As demonstrated the average garden equates to 55 sqm, which is not SIGNIFICANTLY different from the proposed 50 sqm.

The position of the dwelling, considering footprint, depth and width, is also found to be appropriate when assessing the character of the area.

Turning to future development, any changes or alterations would be subject to future planning applications and would be determined under Planning Policy at that time.

The proposals are therefore fully compliant with national and local plan policy and should be approved.



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