



ADUR DISTRICT COUNCIL

6 April 2017

Adur Planning Committee

Date: 18 April 2017

Time: 7:00pm

Venue: Queen Elizabeth II Room, Shoreham Centre, Shoreham-by-Sea

Committee Membership: Councillors Peter Metcalfe (Chairman), Carol Albury (Vice-Chair), Les Alden, George Barton, Ken Bishop, Brian Coomber, Stephen Chipp, and Geoff Patmore.

NOTE:

Anyone wishing to speak at this meeting, on a planning application before the Committee, should register by telephone (01903 221006) or e-mail heather.kingston@adur-worthing.gov.uk before noon on Thursday 13 April 2017.

Agenda

Part A

1. Substitute Members

Any substitute members should declare their substitution.

2. Declarations of Interest

Members and Officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage if such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

Members and Officers may seek advice upon any relevant interest from the Monitoring Officer prior to the meeting.

3. Confirmation of Minutes

To approve the minutes of the Planning Committee meeting held on 13 March 2017, which have been emailed to Members.

4. Items Raised Under Urgency Provisions

To consider any items the Chairman of the meeting considers to be urgent.

5. Planning Applications

To consider a report by the Director for the Economy, attached as Item 5.

6. Public Question Time

To receive any questions from Members of the public in accordance with Council procedure Rule 11.2.

(**Note:** Public Question Time will last for a maximum of 30 minutes)

Part B - Not for publication - Exempt Information Reports

None.

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council’s website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating to this meeting please contact:	For Legal Services enquiries relating to this meeting please contact:
Heather Kingston Democratic Services Officer 01903 221006 heather.kingston@adur-worthing.gov.uk	Richard Burraston Senior Lawyer 01903 221110 richard.burraston@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



**ADUR DISTRICT
COUNCIL**

**Planning Committee
18 April 2017
Agenda Item 5**

Ward: ALL

Key Decision: Yes / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/1770/17 Recommendation – APPROVE

Site: Miller and Carter 43 Manor Road Lancing

Proposal: Proposed construction of a bull statue, garden jumbrella, cold store, lighting to existing fence, glass balustrading to front access ramp and associated landscaping.

2

Application Number: AWDM/0246/17 Recommendation – APPROVE

Site: Land West Of 183 Old Fort Road, Shoreham-By-Sea

Proposal: Demolition of existing double garage and erection of two-storey two-bedroom detached house with solar array on roof.

3

Application Number: AWDM/0259/17 Recommendation – APPROVE

Site: 52 Ring Road, Lancing

Proposal: Demolition of existing conservatory and construction of single-storey rear and side extension and roof alterations to facilitate 2nd floor accommodation comprising rear dormer with Juliet balcony, hip to gable front roofslope with balcony, hip to gable to side roofslopes, front porch and entrance steps.

4

Application Number: AWDM/1391/16 Recommendation – REFUSE

Site: 10 Old Rectory Gardens Southwick Brighton West Sussex

Proposal: Retrospective application for brick boundary wall to the front boundary part abutting Old Rectory Gardens and part abutting Kingston Lane (amendment to AWDM/0575/12).

5

Application Number: AWDM/1662/16 Recommendation – REFUSE

Site: 10 Old Rectory Gardens Southwick Brighton West Sussex

Proposal: Detached double garage at front.

Application Number: AWDM/1770/16

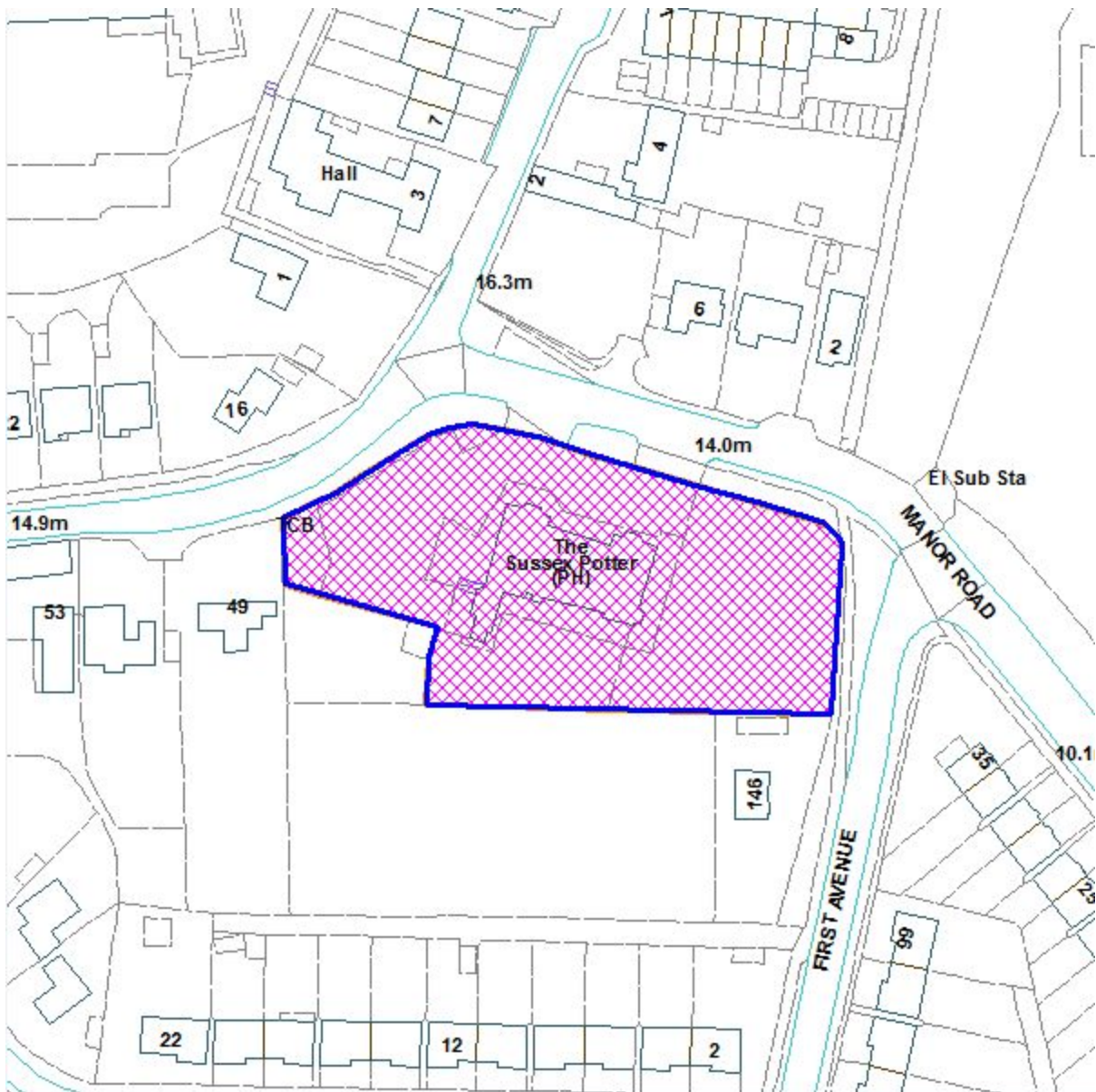
Recommendation – APPROVE

Site: Miller and Carter 43 Manor Road Lancing

Proposal: Proposed construction of a bull statue, garden jumbrella, cold store, lighting to existing fence, glass balustrading to front access ramp and associated landscaping

Applicant: Mr Ian Bolster
Case Officer: Rebekah Smith

Ward: Manor



Not to Scale

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This application is brought to committee at the request of Councillor Carol Albury.

Proposal, Site and Surroundings

The application site relates to No.43 Manor Road, known as Miller and Carter, a public house/restaurant which is on the south side of Manor Road, within the North Lancing Conservation Area. The surrounding area is predominantly residential with dwellings located immediately opposite to the north, west and east, and to the south the large rear garden of 146 First Avenue runs adjacent to the southern boundary of the site. Further to the north east are the playing fields/sports pitches of Manor Park on the opposite side of the road.

Permission is sought for 900mm high glass balustrading etched with 'Miller & Carter Steakhouse' to the existing access ramp to the front entrance with supporting timber posts up to 1.2m in height which have been painted dark grey, replacing the previous handrails. A 1.35 metre high bull statue (including a 300mm high slate tiled plinth) is proposed immediately adjacent to the ramp and in front of the building with a newly planted box hedge border around its perimeter and with four spot lights proposed to its base angled at 30 degrees towards the bull.

To the rear of the building, a remote cold store sited to the rear of the kitchen is proposed within the existing fenced service area. The cold store would measure 2 metres in width, 3 metres in depth and 2.1 metres in height with refrigeration equipment protruding on its rear (west) side within an acoustic enclosure. To the south of the service enclosure is the existing pub garden with seating. A new garden jumbrella is proposed for this area and the existing posts and rope fencing that surround the patio seating would be retained with replacement lighting added in the form of 11 post lamps which include diffusers.

During the course of the application this has become partially retrospective which the applicant has said is due to an ongoing rolling program of refurbishment works.

Relevant Planning History

AWDM/1850/16 - Advertisement Consent for replacement illuminated signage on building, new illuminated entrance sign, replacement illuminated hanging sign mounted on existing post, and replacement freestanding illuminated sign on eastern boundary of car park. Approved 13.02.2017

Consultations

Adur & Worthing Councils: The **Environmental Health** officer has requested further information on noise relating to the proposed cold store condenser in order to assess the potential effect on neighbours. The applicant needs to provide a frequency analysis of the noise produced and Sound Pressure Levels at a specified distance. This information is awaited.

Southern Water Services:

The exact position of the water mains and sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

- No development or new tree planting should be located within 4 metres either side of the centreline of the water mains

- No development or new tree planting should be located within 3 metres either side of the centreline of the sewer.

- No new soakaways should be located within 5 metres of a water mains and sewer.

- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

The applicant has not stated details of the proposed means of disposal of surface water from the site. This should not involve disposal to a public foul sewer.

It is the responsibility of the developer to make suitable provision for the disposal of surface water.

Part H3 of the Building Regulations prioritises the means of surface water disposal in the order

a) Adequate soakaway or infiltration system

b) Water course

c) Where neither of the above is practicable sewer

Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development.

Adur District Conservation Advisory Group:

In relation to the bull statue ADCAG makes the following comments: totally out of keeping in this conservation area – plus the illumination will add more light pollution – refuse

In relation to the cold store – no indication as to where this will be located. Noise levels could be of concern to neighbouring residents. More clarification as to noise levels and prevention thereof and actual location

In relation to the balustrade – Presuming this replaces existing – approve

In relation to the jumbrella and lit fencing – *Again, no indication as to where this is to be erected. Currently, low walls and pillars on site boundary with public pavement. Are these to be demolished and replaced with roped fencing? If so the planned illumination would be unacceptable for the same reasons as quoted in Plan 4108.703. Alternatively, if the roped fencing is a sole replacement of existing located elsewhere on the site at the rear, this would be acceptable. Approve.*

Lancing Parish Council: *no objection*

Representations

Six letters of representation received from North Lancing residents (from 16 Manor Road, 18 Manor Road, 21 The Street, 4 Firl Road, and two from 49 Manor Road), objecting to the application on the following grounds:

- Concern over preserving conservation area for future generations/out of character/detracting from historic character – notably the bull statue and lighting.
- No commercial need for statue to attract business.
- Light pollution/nuisance from lighting – Already local concern over lighting and this will add to problem, causing sleep disturbance, light is intrusive and unnecessary, consideration should be given to angle lighting downwards to minimise light pollution, should not be on all night.
- Noise and disturbance - from cold store equipment, and from jumbrella siting at rear - if used as a smoking area, could cause noise and disturbance to neighbours, potential to encourage patrons to sit outside until late evening/outdoor events, late night vehicular movements.

The North Lancing Community Association object to the application and make the following comments: *'Whilst we welcome a popular leisure facility in our area that provides jobs and enjoyment for customers, we feel a construction of that statue is not appropriate in a conservation area and would like to see that part of the application withdrawn'*.

Relevant Legislation

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

The Committee should consider the application in accordance with Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and pay

special attention to the desirability of preserving or enhancing the setting of the Conservation Area.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB3-6 AP7

Adur Local Plan (submission) 2016 policies: 15, 17, 35

National Planning Policy Framework (CLG 2012)

National Planning Practice Guidance

Planning Assessment

Visual amenity and the effect on the Conservation Area

The pub building is a substantial building in the streetscene with the site occupying a relatively wide and open frontage in the street, surrounded by car parking on three sides of this corner frontage. In this context, and given the commercial pub appearance of the site, the glass balustrade and timber posts to the existing ramp and bull statue surrounded by box hedging within an existing gravel landscape border appear as relatively modest additions to the frontage. The newly planted buxus largely cover the plinth and so the remaining 1.05 metre high bull statue is currently visible above this low hedge. Its dark grey/black colouring affords a fairly muted colour scheme against the dark grey and cream painted walls of the building as its backdrop. Four spot lights are proposed to be positioned in the corners of the plinth directed towards the bull statue. Against the backdrop of existing building lighting from windows and the adjacent entrance light, this low level lighting behind the newly planted surrounding hedge would not appear excessive in this context.

To the rear of the building, the cold store would be sited within the existing fenced service area where there are two existing condenser units and is otherwise used for bin storage. The proposed cold store which is to be coloured brown, would have a utilitarian appearance. However it would be surrounded by the existing fencing at the rear of the building, would not be readily visible in the streetscene or the surrounding conservation area and in the context of the rear service area, a refusal on visual amenity grounds would not be justified. The large canopy umbrella and post lighting would be sited to the rear (south) of this service area within the existing patio seating area in the rear garden. The new umbrella would be sited adjacent to a similarly large existing umbrella at approximately 3.9 metres in height at its peak. The lighting would be at a height of approximately 0.6m on eleven of the timber posts. Given the design and positioning of the umbrella and garden lighting, these would appear as appropriate garden features surrounded by existing planting and in the context of the existing pub building, would not cause any harm to visual amenity or have any significant effect on the character or appearance of the conservation area.

Residential amenity – effect on the amenities of neighbouring occupiers

The proposals would be relatively remote from neighbouring residential properties and so in terms of the impact arising from the physical structures themselves, this would not be significant. The points raised in relation to disturbance caused by lighting or from extended use of the garden are noted. However, the bull statue lighting would be set behind hedging, the garden patio lighting would be at a relatively low height and limited to an existing patio area where garden lighting has existing previously. Whilst an additional umbrella may encourage more comfortable outdoor dining, this is an existing patio area with seating and so any additional use arising, in the wider context of the use of the restaurant/pub and garden as a whole, would not pose any significant threat to residential amenity.

Turning to the cold store, the Environmental Health Officer has requested additional information in relation to noise in order to assess the impact on neighbouring residential occupiers. This matter is pending with the applicant and so it is requested that if agreed this matter is delegated to the Planning Services Manager to await the receipt of additional information to the satisfaction of the Environmental Health Officer.

Recommendation

Subject to the satisfactory comments from the Councils Environmental Health Officer in connection with the requested noise assessment that the application be APPROVED subject to any additional conditions from the Environmental Health Officer that are considered necessary in the interests of residential amenity.

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Lighting to be switched off outside pub/restaurant opening hours

Informative:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Application Number: AWDM/0246/17

Recommendation – APPROVE

Site: Land West Of 183 Old Fort Road, Shoreham-By-Sea

Proposal: Demolition of existing double garage and erection of two-storey two-bedroom detached house with solar array on roof

Applicant: Mr and Mrs Paul Davis
Case Officer: Peter Barnett

Ward: Marine



Not to Scale

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Proposal, Site and Surroundings

This application is an amended submission following refusal by the Planning Committee on 6 February of a previous application for a three bedroomed house on the same site (AWDM/1711/16).

The application site currently consists of an area of garden and a detached, flat-roofed double garage attached to the west side of 183 Old Fort Road. The site is at the eastern end of Shoreham Beach, within a cul-de-sac off the main stretch of Old Fort Road, close to the Old Fort itself.

The application proposes to demolish the garage and construct a two-storey contemporary 2-bedroom dwelling, which is smaller than the previous proposal (gross internal floor area of 87sqm compared with 104sqm previously). The removal of one bedroom has enabled the building to be reduced in width, thereby enabling a separation distance of 3.02m to the boundary with No.181 compared with 2.05m previously at ground floor levels and 4.5m at first floor compared with 3.3m previously.

The accommodation will be provided in an 'upside down' arrangement, with bedrooms on the ground floor. It will have a 'saw tooth' roof, which gives the appearance of a pitched roof when viewed from the front, with a flat roof at the rear. The pitched roof will be covered with solar panels. The dwelling will have a rendered first floor which will overhang the facing brick ground floor at the front. The plot is also an irregular shape with a rear garden which is triangular-shaped and narrows to a sharp point to the north. Access to and from the rear garden will be possible via external steps leading to a half-landing. The plot is approximately 10.5m wide at the front.

The dwelling will be set back from the front of No. 181 to the west but will also project further to the rear than the original rear wall of that dwelling (No.181 has a two storey extension at the west end on the rear which projects further than the proposed house).

The site is at the end of the street and the existing dwelling is of a different form and scale to those to the west, being flat-roofed and two storeys with rendered walls compared with more traditional two storey dwellings with pitched roofs and facing brickwork. It provides an end stop to the cul-de-sac. There is a public parking area at the rear (north) of the site.

Two parking spaces are proposed for the new dwelling at the front of the site.

The application has been 'called in' by Councillor Loader.

Relevant Planning History

AWDM/0122/14 - Demolition of existing double garage and erection of two-storey three-bedroom detached house with solar array on roof – refused for the following reasons:

1. *The proposed dwelling, by reason of its size, design and siting within the plot, would represent an over development of the plot and would be a cramped, prominent and intrusive form of development, harmful to the character and appearance of the existing street scene. It would therefore be contrary to saved policies AG1 and AH2 of the Adur District Local Plan, Supplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New*

Dwellings and Flats' and the policies of the National Planning Policy Framework.

- 2. Having regard to the limited area of the site and its relationship to the existing residential property to the west (No.181), the proposal, by reason of its size and height, would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in loss of light and an overbearing effect on the existing dwelling contrary to the saved policies of the Adur District Plan (AG1, AH2) and the policies of the National Planning Policy Framework.*

AWDM/17111/16 - Demolition of existing double garage and erection of two-storey three-bedroom detached house with solar array on roof – refused for the following reasons:

- 1. The proposed dwelling, by reason of its size, design and siting within the plot, would represent an over development of the plot and would be a cramped, prominent and intrusive form of development, harmful to the character and appearance of the existing street scene. It would therefore be contrary to saved policies AG1 and AH2 of the Adur District Local Plan, Supplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New Dwellings and Flats', policy 15 of the Submission Adur Local Plan 2016 and the policies of the National Planning Policy Framework.*
- 2. Having regard to the limited area of the site and its relationship to the existing residential property to the west (No.181), the proposal, by reason of its size and height, would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in loss of light and an overbearing effect on the existing dwelling contrary to the saved policies of the Adur District Plan (AG1, AH2), policy 15 of the Submission Adur Local Plan 2016 and the policies of the National Planning Policy Framework.*

Consultations

West Sussex County Council: The Highway Officer has no objection subject to conditions securing access, car and cycle parking. Comments that the dwelling will be served via a new dropped crossing access point from Old Fort Road. Old Fort Road is unclassified and subject to a 30 mph speed limit. The site is located at the eastern extend of Old Fort Road, which is a no through road at this point.

Given the context of the location no highways concerns would be raised to the implementation of a vehicle crossover in this location. The crossover must be implemented under licence to a specification obtained from WSCC Highways.

The proposed dwelling will be served via two off street car parking spaces. This would be considered appropriate for a dwelling of this size in this location. The applicant has

demonstrated that 183 Old Fort Road will retain three off street spaces despite the loss of the garage. Again this quantity of provision would be considered appropriate for a dwelling of this size in this location.

The proposed dwelling should be provided a secure and covered cycle parking provision in the interests of sustainability. The garage of 183 Old Fort Road may have also been used as a cycle storage facility so unless already available I would also ask that 183 Old Fort Road is also provided with a replacement secure and covered cycle parking facility.

In conclusion the LHA does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

Adur & Worthing Councils: The **Engineer** has no objection. The site lies outside areas affected by surface water according to the EA maps but lies within EA flood zone 2 and is surrounded by land within flood zone 3.

It is noted that the proposed ground floor levels of 6.0m shown on the drawings and referred to in the EA generic FRA, is the minimum required.

Disposal of surface water should be via soakaway as proposed, and with the area being underlain by the shingle spit, no formal soakage test will be required.

The **Environmental Health Contaminated Land** Officer recommends the precautionary condition and PFA informative.

Environment Agency: No objection subject to a condition requiring the development to be built in accordance with the submitted Flood Risk Assessment and specifically that finished floor levels are set no lower than 6.00m AOD. Comment that consideration should be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels

Southern Water: Formal connection to public sewerage system required.

Representations

3 letters of objection received from the owner/occupiers of 156, 181 Old Fort Road and from Shoreham Beach Residents Association:

- Would like to object on same grounds as previous refused applications
- Planning Committee has visited the site and house at 181 and are aware of the adverse impact that this development would have on neighbours
- Loss of sunlight to amenity space

- Overlooking of rear sitting room from rear steps
- Breach of right to light
- Loss of double garage will cause parking problems in cul-de-sac
- Plot is not large enough to accommodate a detached house
- Would be cramped, prominent and intrusive, harmful to character and appearance of street scene

Relevant Planning Policies and Guidance

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

Relevant Legislation

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

Planning Assessment

Principle

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

Visual amenity

The proposed dwelling will be set back behind the front of 181 by approximately 1.9m at ground floor level and 1.5m at first floor. When viewed from the west along Old Fort Road it will maintain the staggered line of housing in the cul de sac, albeit with less of a stagger than can be found elsewhere.

Even with less of a set-back, it is considered to be sufficient to ensure that the building is not unduly prominent in the street scene. The dwelling will have the same ridge height as No.181. A 3m gap is provided to the boundary with No.181 and, while the proposed building will sit hard against the new boundary with No.183, sufficient distance of 2.4m will remain to the side of the house itself. Such distances ensure that

the building will not appear cramped within the plot. Indeed, the increased distance to the boundary with 181 results in a spacious appearance with a distance of 4.56m between the first floor of the proposed dwelling and the side of No.181.

Two car parking spaces are proposed at the front but with a landscaped area provided adjacent to the spaces which will help soften the frontage. From Forthaven to the north the building will have a flat roofed appearance which reflects the form of No. 183. It is considered to be of an acceptable scale when seen in context with Nos. 181 and 183. It will project beyond the rear of No.183 but not as far as the two-storey projection at the rear of No.181, or the garage of that property. Consequently, it is not considered that it will be unduly prominent in views from Forthaven.

The design of the building is contemporary in appearance but government guidance, in the form of the NPPF, advises that *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*

Old Fort Road contains a wide variety of housing styles and within this particular section of the road there is also a mixture of traditional pitched roof and more contemporary flat roofed forms. The proposal attempts to respond to this variety and it is considered that the design successfully reinforces a sense of local distinctiveness. It does not represent a ‘two-for-one’ development in that an existing dwelling is not being demolished to accommodate the proposed building. It also does not result in the loss of a traditional bungalow, an issue over which there has been sensitivity in recent years. The form, scale and layout of the building are considered to respect the character and pattern of development in this part of the street and there are not considered to be sustainable reasons to object to the proposal on design or density grounds.

Residential amenity – existing occupiers

The host dwelling has eight windows on its west elevation but the proposed dwelling will stop short of projecting beyond those windows. At the rear, the dwelling will project beyond the rear wall of No.183 by 4m. However, the existing garage (which is to be demolished) already obstructs light and outlook to some extent for the existing ground floor rear window at 183 and it is considered that the proposed building, being sited further away, will enable a greater outlook from that window. Being to the north-west, the proposed dwelling will not have a serious adverse impact on light to 183.

To the west, 181 has a first floor side window facing the site which is a secondary window to a bedroom which is also served by front (south) facing patio doors leading to a balcony. The set back of the proposed dwelling and the increased distance between the buildings will help to minimise the impact on light and outlook to this room.

On the ground floor, 181 has a utility/kitchen window and door towards the rear of the side elevation and a small rear (north) facing patio at the rear. The patio has restricted light and outlook as a result of its position to the north of the building and the position and proximity of that property's detached garage and a two-storey rear extension on the west side of 181. Previous proposals have brought the house much closer to 181 (1m from the boundary in AWDM/0122/14)) and would have adversely affected light and outlook to these areas. The current proposal has reduced the bulk of the dwelling by providing a flat roof at the rear, stepping in the first floor at the side, as before, but also reducing the width of the building to enable increased separation to 181. This results in less bulk and a greater distance to the boundary of 3m at ground floor and 4.5m at first floor (compared with 3.3m in the last application). While the proposed dwelling projects beyond the rear of 181, this follows the established, staggered pattern of development to the west and it will not breach a 45 degree line measured from the mid-point of the nearest ground floor opening in the rear elevation of 181. It is considered that the separation between the buildings is sufficient to prevent any serious harm to the residential amenities of the occupiers of 181.

The applicant's Daylight/Sunlight and Overshadowing Report submitted with the previous application concluded that "the proposals meet the Building Research Establishment (BRE) guidelines' criteria with only a small difference between the existing and proposed situations. In conclusion, we are of the view that the effects of the proposed development with regard to daylight and sunlight are within the criteria suggested by the BRE guidelines."

The guidance advises that only those windows that have a reasonable expectation of daylight or sunlight need be assessed, such as "living rooms, kitchens and bedrooms. Windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed." In this case, the affected room is a utility room and does not need to be assessed. Nevertheless, the report demonstrates that "the reduction of daylight to the surrounding windows and the rooms they serve falls within the permissible criteria as set out in the BRE guidelines and that the property will continue to receive a good level of natural light." With regard to amenity areas, while the neighbouring patio area closest to the boundary will lose light, there would have been only a small reduction from 35% to 33% in the garden as a whole, which is well within BRE permitted guidelines. The current application has further reduced the bulk of the proposed dwelling and increased the separation to No.181 to 5.5m at first floor), thereby further reducing any impact on light to No.181.

The top of the proposed rear garden access steps are approximately 9.5m from the boundary with No.181. They are not large enough to be used as a sitting area and will be used only occasionally to gain access to the rear garden. The main entrance and parking area is at the front of the dwelling. It is not therefore considered that the steps will cause any harmful loss of privacy to neighbouring occupiers. Screening to the sides of the rear stairs and front balcony will also maintain privacy for the occupiers of 183.

Residential Amenity - proposed occupiers

The proposed dwelling would meet the National space standards (87sqm internal floor area compared with standard of 79sqm for a 4 person 2 bed house. It will have a rear garden area of 55sqm which falls short of the 85sqm required for small semi-detached and detached dwellings (up to 3 bedrooms), but which exceeds the area required for a 2 bed (terraced) dwelling. The rear garden would be of a triangular shape and would have a width of less than 3m at the north end and where it projects to the east. However, other properties to the north which back onto Forthaven also have comparatively small gardens and it is considered, on balance, that the shape and size of the rear garden is not sufficient reason alone to justify refusal of the application, particularly in view of the proximity of the site to the beach. The host dwelling (183) will retain adequate garden space to the east.

Parking and access

The application provides space for 2 off-street parking spaces which is in accordance with current standards for a development of this size in this area. The existing garage to 183 will be lost but that property will still have sufficient space for off-street parking on its west side. WSCC have not raised an objection to the proposal and it is not considered that the proposal will cause increased congestion in the cul-de-sac.

Flood Risk

The site lies within Flood Zone 2 and is at risk of flooding. It is not considered that there are reasonably available sites in areas with a lower probability of flooding which are appropriate for new housing. A new house would help meet the Council's 5 year housing land supply and, provided the site-specific flood risk assessment demonstrates that the development will be safe, there is no objection in principle to development on this site.

The applicant has submitted a Flood Risk Assessment with the application which states that the finished floor level of the dwelling would be 6m AOD which takes account of the 1 in 200 year storm surge level of 5.4m AOD, plus 600mm. The Council's Drainage Engineer and the Environment Agency have not raised any objections and there are therefore no flood risk concerns with this proposal.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. External materials
4. The development permitted by this planning permission shall only be carried

out in accordance with the approved Flood Risk Assessment (FRA) (dated 07/11/2016) and the following mitigation measure detailed within the FRA (Table 1.0):

Finished floor levels are set no lower than 6.00m above Ordnance Datum (AOD).

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

5. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.
6. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
7. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided for both the approved dwelling and existing dwelling at 183 Old Fort Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.
8. Removal of PD rights for future extensions and outbuildings

Informatives:

1. The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.
2. Precautionary land contamination
3. PFA
4. Consideration should be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels
5. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water
6. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The

applicant is advised to discuss the matter further with Southern Water

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

18th April 2017

Application Number: AWDM/0259/17

Recommendation – APPROVE

Site: 52 Ring Road, Lancing

Proposal: Demolition of existing conservatory and construction of single-storey rear and side extension and roof alterations to facilitate 2nd floor accommodation comprising rear dormer with Juliet balcony, hip to gable front roofslope with balcony, hip to gable to side roofslopes, front porch and entrance steps.

Applicant: Mr Pete Flavell
Case Officer: Peter Barnett

Ward: Manor



Not to Scale

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Proposal, Site and Surroundings

The application relates to a two-storey detached hip-roofed dwelling on the north side of Ring Road. The building sits in an elevated position above the level of the road. It is

proposed to convert and extend the roof to form additional accommodation, involving a rear dormer with Juliet balcony, a hip to gable front roofslope with balcony, and hip to gable extensions to the side roofslopes. The roof alterations will involve an increase in overall height by 0.3m. In addition, an existing conservatory is to be demolished and replaced with a single-storey rear and side extension. A new front porch and entrance steps are also proposed. The existing pebble dash render is to be replaced with white render and blue slates are to replace the existing roof tiles. The existing garage is to be converted into living accommodation.

Ring Road contains a mix of residential dwellings which are generally single or two storeys in height with pitched roofs.

Consultations

Lancing Parish Council: No objections

Representations

6 letters of objection received from the occupiers of 47, 48, 49, 50, 58 Ring Road, 5 Swanbourne Close:

- Inadequate off street car parking provision to serve a 4 bed house – only 1 parking space left after garage is converted
- Third floor with rear balcony will cause overlooking
- Safeguards need to be in place to ensure building works are not undertaken during unsociable hours and HGV movements/parking are adequately controlled
- Overdevelopment
- Overbearing and imposing in appearance
- Out of character - there are no other 3 storey properties on the north side of Ring Road
- Third floor with front balcony will lead to overlooking of front bedrooms of houses opposite
- Imposing and invasive
- Appearance will spoil the 'village' character of the area
- Do not wish to have this type of architecture in North Lancing – it is more suited to Shoreham Beach
- People should buy larger properties rather than extend
- Buildings are being bought purely for development and profit rather than for a desire to live in the area.
- Contravenes a restrictive covenant preventing any house higher than 2 floors
- Scaffolding, etc. must not block shared access

Relevant Planning Policies and Guidance

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

Relevant Legislation

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

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The street contains largely traditional housing styles, being two storeys or bungalows, with facing brickwork and tiled roofs. Dwellings predominantly have hipped roofs but some have gables and there are gable features, including on both of the immediately neighbouring dwellings, while further east there is a more contemporary-looking dwelling which was re-modelled from a bungalow into a two storey, white rendered dwelling with large front balcony at first floor level.

The proposed extensions and alterations to the application property are not considered to cause serious harm to the character or appearance of the street scene. It should be noted that the property could construct a hip-to-gable roof extension on the side roofslopes and a rear dormer without requiring planning permission, which would alter the roof shape and form. The existing roof tiles could also be changed without requiring planning permission.

The most contentious element of the proposal is the front gable and balcony at second floor which it is acknowledged would be a unique feature in the street. However, it has been sensitively designed, with the balcony inset within the proposed gabled roof so that it does not protrude beyond the front wall of the house. The proposed crisp finish of the house, with its white render and slate roof, will give it a contemporary appearance and the addition of the front gable and balcony are considered to complement the remodelling.

Paragraph 60 of the NPPF advises that "*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to*

certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

In this case, the design would not strictly conform to the traditional housing style in the street but the original form of the building would still be discernible in the retention of the hipped roof at the front and rear and a hipped roof over the existing 2 storey subsidiary side extension. Overall, it is considered that the scale and form of the extensions and alterations to the building are acceptable.

Residential amenity

The proposed extensions are not considered to cause harm to the residential amenities of neighbouring occupiers. The roof extensions and single storey extensions are considered to be sufficiently distant from the boundaries to not be overbearing or likely to cause a loss of light or outlook. The single storey side/rear extension will infill the space adjacent to the boundary with No.50 to the east. That property is separated from No.52 by a driveway which leads to the garage of No.50. There is a narrow strip of land over which No.52 has access. Agreement will have to be reached with the owners of No.50 with regard to access and scaffolding during construction, but this is a civil matter which is not a planning consideration.

The rear dormer with Juliet balcony may cause some additional overlooking of neighbouring gardens but this would not be any worse than that which would be experienced with any rear dormer extension, the majority of which can be constructed as ‘permitted development.’ There are no dwellings at the rear which would suffer overlooking of rear windows and it is not considered that the level of harm is sufficient to warrant refusal.

Accessibility and parking

The proposed loss of the garage has given rise to concerns that there will be insufficient space available for off-street parking at the property. The extensions will result in the property increasing from 3 bedrooms to 4 bedrooms and there would be only space for 1 vehicle on the driveway in front of the former garage. While this may lead to additional parking on the road, it is not considered to be at a scale which would be sufficiently significant to cause congestion or serious harm to highway safety. An objection on highway grounds is not therefore considered to be justified.

Recommendation

APPROVE

Subject to Conditions:-

4. Approved Plans
5. Standard 3 year time limit
6. External materials as specified

Application Number: AWDM/1391/16

Recommendation – REFUSE

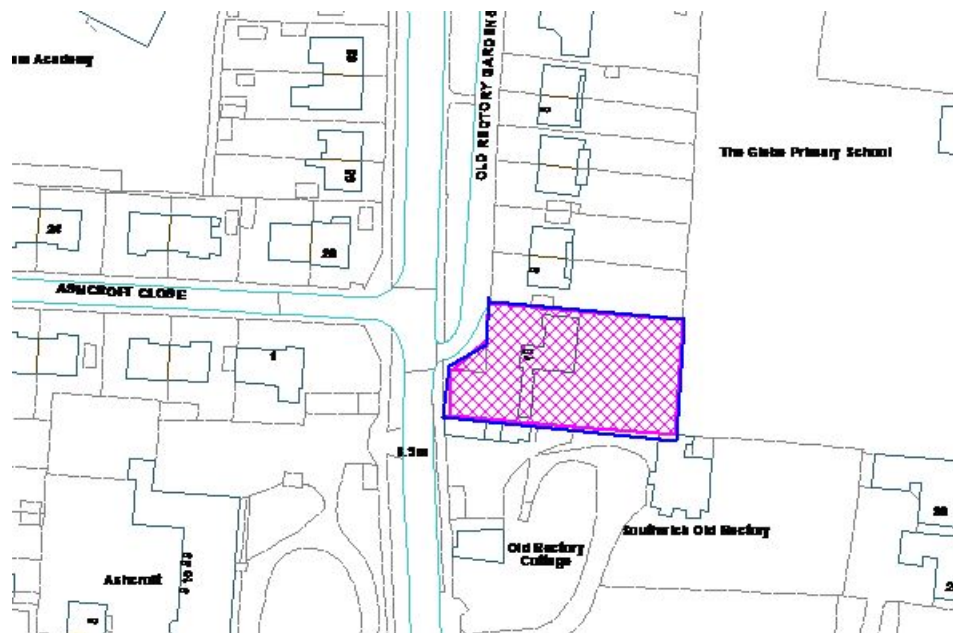
Site: 10 Old Rectory Gardens Southwick Brighton West Sussex

Proposal: Retrospective application for brick boundary wall to the front boundary part abutting Old Rectory Gardens and part abutting Kingson Lane (amendment to AWDM/0575/12)

Applicant: Mr G Wedekind

Ward: Southwick Green

Case Officer: Eve Hearsey



Not to Scale

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Site and Surroundings

The application relates to a detached bungalow at the southern end of Old Rectory Gardens, a private road off Kington Lane. The property has been enlarged on the south side by a hipped-roof extension including an integral garage. Vehicular access to the property is from Old Rectory Gardens.

As enlarged, the bungalow occupies almost the full width of the plot which is about 25 metres wide, with a small gap of approximately 1 metre on either side of the building. There is a brick wall to part of the frontage approximately 1.5m high, with the remaining approximately 1.3 metres in height at the piers. Taller brick piers have been put in place on each side of the vehicular entrance approximately 2 metres high.

The southern site boundary adjoins the side wall of a former cart barn, (55A Kington Lane), which is a curtilage building to 2no. listed buildings, Old Rectory Cottage (55C),

and The Old Rectory (55B), all located within the Southwick Conservation Area.

Old Rectory Gardens, runs parallel with Kingston Lane, and is largely screened when travelling south by a long island of trees and shrubs, which abut the pavement area of Kingston Lane and the access road of Old Rectory Gardens. The property is also fairly well screened from view when travelling north along Kingston Lane, as the neighbouring property, no. 55A sits forward from the application site, and thereby screens it from view.

However, the front boundary wall, the subject of this application, because of the position of the section directly abutting the Kingston Lane pavement to the front, can be viewed from the street, when travelling north and or south along Kingston Lane.

Kingston Lane, and its off shoot roads, comprise a mix of old and new properties of varying styles, many have boundary walls to the front, of various heights, and many have infill sections with railings.

Proposal

Retrospective planning permission is sought for the brick front boundary wall. The wall is constructed in two parts, one to the south of the vehicular access and one to the north of the vehicular access. The south section wall is higher than the north section.

The south wall abuts Kingston Lane and is positioned approximately 1.7 metres from the side elevation wall of the neighbouring dwelling 55A; it has a height of some 1.5metres, and is, in the main, single skinned. Other than the gate pier at the side of the vehicular access, there are no noticeable piers within the external elevation of the 1.5metre high wall. However, there are piers at intervals on the internal facing elevations. The gate brick pier is approx. 2metres in height

The north wall abuts Old Rectory Gardens and is lower, being approx. 1metre in height with the piers being approx. 1.4metres in height. There is also a gate pier at the centre end of the run to approx. 2metres in height. Also, there is a pedestrian access gap of some 1.2metres in width.

The run length of the south section of wall is approx.13.5metres long, and the run length of the north section is approx. 9.5metres minus the pedestrian access gap of approx. 1.2metres

Relevant Planning History

AWDM/0575/12 Single storey hipped roof extension to south to form double garage and en-suite (existing flat roofed store replaced); rear single storey hipped roof extension with north side chimney; and new part 1.5m high flint and part brick and railing front boundary wall with vehicular and pedestrian access. Application Permitted **06.09.2012**

SW/11/05/TP Extensions and alterations (including additional storey with new roof, front/rear dormers, two-storey front & side extensions & front boundary screen wall/fence). Application Permitted **12.05.2005**

Consultations

West Sussex County Council: The Highway Authority has raised no objection, commenting:

“The proposed boundary wall seeks amendments to a boundary wall previously approved. After reviewing the plans provided, the wall does not seem to obstruct maximum available visibility at the access point from Old Rectory Gardens onto Kingston Lane.

No highway concerns would be raised to the proposed amendments.”

Adur District Conservation Advisory Group: None received.

Representations

None received

Relevant Planning Policies and Guidance

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AB4, AB11, AG1, AH7 and Appendix 11 ‘Supplementary Planning Guidance’ comprising: Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’
Submission Adur Local Plan 2016: Policies 2 (Spatial Strategy), 15 (Quality of the Built

Environment and Public Realm), 17 (The Historic Environment)
National Planning Policy Framework (March 2012)
National Planning Practice Guidance

Planning Assessment

Principle

The boundary wall, is within the built up area and thereby acceptable in principle subject to its effect on the character and visual amenities of the area, and the setting of the neighbouring Listed Buildings; curtilage building; and Conservation Area.

Paragraph 132 of the National Planning Policy Framework states:-

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.”

Visual amenity

The site abuts Southwick Conservation Area. Within this Conservation Area and abutting the application site are 2no. Listed Buildings, namely the Grade II Old Rectory and Old Rectory Cottage which are located on the western edge of the Conservation Area.

The Old Rectory is a 19th century two storey house situated on the rear section, with stucco cladding and a hipped slate roof.

The Old Rectory Cottage dates from the 17th century and a side wall with one ground and one first floor window, directly abuts Kingston Lane but its main elevations face into its site. The building is flint with some cobblestone replacements, with red brick quoins and dressings and a thatched roof. It is two storeys.

The neighbouring Cart Barn/stables is a single storey flint and brick building with a clay tiled hipped roof, approximately 5m high, and was converted into a one bedroom dwelling (55A) in 2011. This building is a curtilage building to the Listed Building pair.

An Article 4 Direction applies to the Old Rectory, removing permitted development rights for the erection of walls and fences. This is to ensure that separation from the wooded grounds does not destroy the character of the setting of the listed building.

Returning to the proposed application, the proportions of the wall as indicated on the plans are considered to be acceptable in the street scene and with regard to the

neighbouring designated Conservation Area and Listed Buildings. But, the materials used for the construction of the wall are not considered acceptable.

As can be seen from the planning history, a wall of similar proportions has previously been permitted. However, that wall was to have flint panels in order to better assimilate itself with the neighbour flint curtilage building and the setting of the Conservation Area.

History regarding former approvals

The planning history of this site (see above), has indicated the construction of a wall to the front of similar proportions to that currently proposed. However, on each of those occasions the LPA have required that the wall be flint faced.

The Planning Officers report on SW/11/05/TP states, *“The proposed brick and flint front boundary wall does give rise to concern about its juxtaposition to the flint wall of the former stable block at Old Rectory Cottage. On balance, however, the details shown on the submitted plan are considered acceptable. The railings and gate which face onto Old Rectory Gardens would not give rise to any highway hazards and visibility is achievable.”*

The subsequent approval of this application required, within a condition, that the front boundary wall should not exceed 1.5metres in height (measured from the pavement level in Kingston Lane); it should be set back at a minimum of 0.6m from the front highway boundary wall of the building to the south. The condition also required details of the materials for the front wall be submitted to and approved by the LPA, but also that a sample panel of flintwork be approved by the LPA.

(NB, the flint and brick wall of this application filled the gap to no. 55A Kingston Lane, which is now left open by this application.)

The Officers report for AWDM/0575/12 states:- *“The proposed front boundary wall will be in flint with brickwork piers, and will be set in from the front boundary of the site by 1m, with a gap of 1.75m to the flank wall of the adjacent store to the south where a tree is growing.....”*

Condition 3 of that approval required that *“The proposed new boundary wall hereby approved shall not be commenced unless and until a plan is submitted and approved in writing by the LPA which shows that the wall enables a visibility splay.....”*

Condition 4 stated:- *“The south side wall construction shall conform with a sample flint panel which has first been erected on site and approved in writing by the LPA.”*

It is contended it has been abundantly clear to the applicant since 2005 that the boundary wall should be constructed with flint panels.

The wall as constructed, does not directly abut the flint and brick wall of its neighbour

55A Kingston Lane, as the 2005 proposal, but has a gap some 1.7m wide a similar gap as per the 2012 proposal.

The application which contained the proposal for the front boundary wall was in 2012 (AWDM/0575/12), and the wall was again stepped back from the neighbouring curtilage building by 600mm, and the section next to the curtilage building and designated Conservation Area, indicated flint panels, which had been a requirement of the earlier permission. This application also identified the wall to be 1.8 metres from the side elevational wall on the neighbouring property, no. 55A, the curtilage building. This permission also required a sample flint panel which has first been erected on site and approved in writing by the LPA.

The similarities between the two approved applications are the requirement that the wall does not abut the neighbouring curtilage building no. 55A, together with the fact that the higher section of walling next to the neighbouring Conservation Area, be of flint panels.

The application wall has not been constructed not in accordance with the approved plans or the conditions of the approval. The wall is not set from the neighbouring wall by only 600mm but some 1.7m and it is not set back from the footpath, and the wall has not been constructed with flint panels.

Besides the above, the lower section of the wall, fronting Old Rectory Gardens, has been built at a greater height than the earlier proposals, which thereby means that there is limited, and arguably, not enough room for the railings to be positioned in the space provided, but in any case, they are not shown on the application for consideration.

As noted earlier, the principle of a wall in this location is acceptable, but it is considered that the wall in the materials as constructed weakens the character and appearance of the Conservation Area and the setting of the Listed Buildings.

Residential amenity – effect on existing dwellings

The neighbours that would be affected by the proposed garage would be those at 55A Kingston Lane (the former Cart Barn and curtilage building) to the south and no. 9 Old Rectory Gardens to the north. It is not considered that the existing residential amenities of either of these properties are demonstrably affected.

Conclusion

With regard to what has been constructed, it is not understood why the materials that have been used were used as it must have been clear to the applicant that there was a need to provide flint panels on the higher sections of walling adjacent to the curtilage building and the designated Conservation Area, in order to avoid damaging the character of the Conservation Area, and the setting of the Listed Buildings.

As stated earlier, a wall in this position and of the dimensions indicated on the plans is acceptable in principle. It is thereby considered that the current application be refused and discussions be undertaken between the applicant and the LPA to discuss a mutually agreeable boundary wall for the site, which respects the neighbouring Conservation Area and Listed Buildings.

It should also be noted that the option for enforcement action against the existing wall is open to the LPA.

Recommendation

REFUSE for the following reasons:-

By reason of the fact that no flint panels have been used within the construction of the wall together with the design of the wall not respecting the appropriate character of the designated Conservation Area the wall results in demonstrable harm to both the Southwick Conservation Area and the setting of the neighbouring Listed Buildings contrary to the requirements of the saved policies AB4, AB11 and AH7 of the Adur Local Plan and policies 2, 15 & 17 of the Submission Adur Local Plan 2016, and the National Planning Policy Framework.

18th April 2017

Application Number: AWDM/1662/16

Recommendation – REFUSE

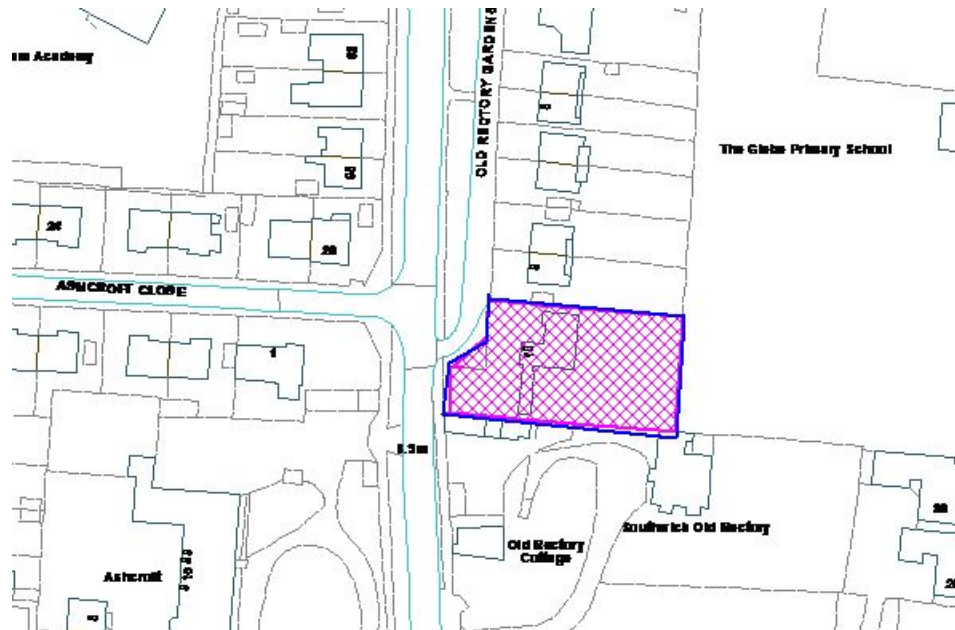
Site: 10 Old Rectory Gardens Southwick Brighton West Sussex

Proposal: Detached double garage at front

Applicant: Mr G Wedekind

Ward: Southwick Green

Case Officer: Eve Hearsey



Not to Scale

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Site and Surroundings

The application relates to a detached bungalow at the southern end of Old Rectory Gardens, a private road off Kingston Lane. The property has been enlarged on the south side by a hipped-roof extension including an integral garage. Vehicular access to the property is from Old Rectory Gardens.

As enlarged, the bungalow occupies nigh-on the full width of the approx. 25 metre wide plot, with a small gap of approximately 1 metre on either side of the building. There is a brick wall to the frontage approximately 1.5m high, with the remaining approximately 1.1 metres in height. Brick piers have been put in place on each side of the vehicular entrance approximately 2 metres high.

The southern site boundary adjoins the side wall of a former cart barn, (55A Kingston Lane), which is a curtilage building to 2no.listed buildings, Old Rectory Cottage (55C), and The Old Rectory (55B), all located within the Southwick Conservation Area.

Old Rectory Gardens, runs parallel with Kingston Lane, and is largely screened from it when travelling south, by a long island of trees and shrubs, which abut the pavement area of Kingston Lane, further, as the property is set back from the neighbouring property at 55A Kingston Lane, the bungalow is not readily viewed when travelling north along Kingston Lane.

Kingston Lane, and its off shoot roads, comprise a mix of old and new properties of varying styles.

Proposal

Planning permission is sought for a detached, brick-built double garage on the site frontage. It would measure some 5.5 metres deep by 5.8 metres wide having a pyramidal hipped roof, resulting in a building some 3.4 metres high. The proposed garage is shown to be positioned 500mm behind the new brick boundary wall, and 1.8 metres from the southern boundary (55A Kingston Lane).

The up-and-over garage door would be on the east side (facing the front of the bungalow). One Conservation rooflight is shown positioned on the east roof slope. The east roof slope has also been foreshortened in order to allow the positioning of the up and over garage door. The pedestrian door is shown on the south elevation (facing the side wall of 55A Kingston Lane).

Relevant Planning History

SW/11/05/TP Extensions and alterations (including additional storey with new roof front/rear dormers. Two storey front and side extensions and front boundary screen wall/fence) **Permitted 12.05.2020**

AWDM/0575/12 Single storey hipped roof extension to south to form double garage and en-suite (existing flat roofed store replaced); rear single storey hipped roof extension with north side chimney; and new part 1.5m high flint and part brick and railing front boundary wall with vehicular and pedestrian access. **Permitted 06.09.2012**

AWDM/0469/16 Detached double garage at front **Withdrawn 11.07.2016**

AWDM.1391/16 Retrospective application for brick boundary wall to the front boundary, part abutting Old Rectory Gardens and part abutting Kingston Lane (amendment to AWDM/0575/12) **Current**

Consultations

West Sussex County Council: The Highway Authority has raised no objection, commenting:

“The proposed garage will not significantly impact on the ability for vehicles to turn on site. Typically WSCC would advise double garages measure 6 x 6 metres, nevertheless the proposed garage internal dimensions would still be considered large enough to park 2 vehicles.”

Southern Water:

Adur District Conservation Advisory Group: None received.

Representations:

None received

Relevant Planning Policies and Guidance

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AB4, AB11, AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Submission Adur Local Plan 2016: Policies 2 (Spatial Strategy), 15 (Quality of the Built Environment and Public Realm), 17 (The Historic Environment)
National Planning Policy Framework (March 2012)
National Planning Practice Guidance

Planning Assessment

Principle

The proposed garage is within the built up area and thereby acceptable in principle subject to its effect on the visual amenities of the area, and the setting of the neighbouring Listed Buildings and Conservation Area.

Paragraph 132 of the National Planning Policy Framework states:-

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should

require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.”

Visual amenity

The site abuts Southwick Conservation Area, which also accommodates 2no. Listed Buildings, namely the Grade II Old Rectory and Old Rectory Cottage which are located on the western edge of the Conservation Area.

The Old Rectory is a 19th century two storey house situated on the rear section, with stucco cladding and a hipped slate roof.

The Old Rectory Cottage dates from the 17th century and a side wall with one ground and one first floor window, directly abuts Kingston Lane but its main elevations face into its site. The building is flint with some cobblestone replacements, with red brick quoins and dressings and a thatched roof. It is two storeys.

The neighbouring Cart Barn/stables is a single storey flint and brick building with a clay tiled hipped roof, approximately 5m high, and has been converted into a one bedroom dwelling (55A) in 2011.

An Article 4 Direction applies to the Old Rectory, removing permitted development rights for the erection of walls and fences. This is to ensure that separation from the wooded grounds does not destroy the character of the setting of the listed building.

The proposed detached garage would be sited only 1.8m from the boundary of the neighbouring property 55A Kingston Lane, indeed, the side boundary of the application site, is in fact the side elevation wall of the Cart Barn, a curtilage building to the Listed Buildings ‘Old Rectory Cottage’ and ‘The Old Rectory’. Moreover, the proposed garage would be forward of its existing dwellinghouse and would be sited close to the front boundary wall (500mm), thereby providing a potentially very prominent feature within the street scene.

At a height of 3.4metres, the proposal has been reduced from the previous withdrawn application, and it has altered the roof type from a gable ended dual pitch to a pyramidal hipped roof. The eaves height measures approx. 1.6m from the ground level, which would mean that the amount of built form being revealed above the 1.5metre high boundary wall would be 1.9metres. But by being hipped, the bulk of the roof is much reduced from that shown on the withdrawn application.

Notwithstanding the above, the proportions of the garage are considered to be out of scale with the Cart Barn, as the proposal would be viewed isometrically when traveling south along Kingston Lane, revealing the bulk of the roof. Further, the roof would also be viewed from the west, a large triangular section measuring 5.8metres wide by some 2metres in height.

Again, even though the roof type and size of the roof has been reduced from that on the withdrawn proposal, it is still considered that it is still of a bulky form and large

proportions which would jar with and visually overwhelm the modest hipped single storey former Cart Barn to the south limiting views of the roof of the latter from the north detracting from its historic setting and that of the designated Southwick Conservation Area.

Whilst it is true that there are other buildings/garages along the street, they are not positioned in such close proximity to the Listed Buildings and curtilage buildings or to the Conservation Area. Indeed, opposite the application site, there is a gable ended building positioned on the boundary, which clearly results in an overly dominant visual distraction to the street scene. But this building is not within or contiguous with, a Conservation Area, and it does not neighbour a Listed Building.

It is thereby considered that the proposed garage building positioned forward of the host dwelling, could not be accommodated on the site frontage without resulting in harm to the setting of the listed curtilage building and the Southwick Conservation Area.

The application property occupies a relatively generous plot, (measuring some 25 metres wide x some 48 metres in depth on its southern side), compared to others in Old Rectory Gardens and it is considered there may be scope for extensions to its rear, thereby allowing the retention of its existing garage and leaving the area to the front clear.

History has shown that the LPA are not adverse to the site being enlarged (see planning history above), but in this instance the provision of a building so far forward of the dwelling, creates an intrusive form of development.

Residential amenity – effect on existing dwellings

The neighbours that would be affected by the proposed garage would be those at 55A Kingston Lane (the former Cart Barn and curtilage building to the south), but because they have no windows on the elevation facing the garage it would be unlikely to affect their outlook or residential amenities.

Recommendation

REFUSE for the following reasons:-

1. By reason of its size, design, form, massing and forward siting, the proposed detached garage building would constitute an unduly prominent and conspicuous form of development that would intrude unacceptably in the streetscene and would visually overwhelm and adversely affect the setting of the adjoining listed buildings and detract from the historic setting of the Southwick Conservation Area. The proposal is thereby contrary to saved policies AB4, AB11, and AH7 of the Adur District Local Plan; policies 2, 15 and 17 of the Submission Adur Local Plan 2016 and the National Planning Policy Framework.

Local Government Act 1972
Background Papers:

As referred to in individual application reports

Contact Officers:

Rebekah Smith
Senior Planning Officer (Development Management)
Portland House
01903 221313
rebekah.smith@adur-worthing.gov.uk

Peter Barnett
Principal Planning Officer (Development Management)
Portland House
01903 221310
peter.barnett@adur-worthing.gov.uk

Eve Hearsey
Planning Officer (Development Management)
Portland House
01903 221233
eve.hearsey@adur-worthing.gov.uk

Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

- 8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.