



WORTHING BOROUGH
COUNCIL

Planning Committee
22nd August 2018

Agenda Item 5

Ward: ALL

Key Decision: ~~Yes~~ / No

Report by the Director for Economy

Planning Applications

1

Application Number: AWDM/0038/18

Recommendation – Approve

Site: Land East Of 1 To 6 Walton Lodge, Walton Close, Worthing

Proposal: Erection of 2 no. 3 bedroom dwellings with associated parking, bin and cycle storage.

Application Number: AWDM/0038/18

Recommendation – APPROVE

Site: Land East Of 1 To 6 Walton Lodge, Walton Close
Worthing

Proposal: Erection of 2 no. 3 bedroom dwellings with associated
parking, bin and cycle storage

Applicant: Mr Chisnall
Case: Gary Peck
Officer:

Ward: Salvington



Not to Scale

Proposal, Site and Surroundings

This proposal seeks full permission for the erection 2 x 3 bed dwellings, the application having been amended during its determination, the originally submitted proposal being for 3 dwellings.

The application site was previously a nursery and latterly occupied by a number of disused glasshouses and other structures which have now been cleared.

The application site is served by an access from its south west corner via Walton Close about 3.5 metres in width running for about 25 metres in an east-west direction. The site then opens out into an L shape, about 24 metres at its widest point from north to south and about 12 metres at its narrower north to south point. At its deepest point, including the access road, the site is in excess of 45 metres from east to west.

To the south of the site and access track are the rear gardens of the properties fronting onto Salvington Gardens, a number of which have outbuildings abutting the boundary.

To the north are the garages serving Walton Lodge flats and the rear gardens of the properties fronting onto Stone Lane which also bound the eastern boundary of the site. The dwellings in Salvington Gardens are at least 18 metres from the boundary of the application site as the properties have reasonably sized rear gardens.

To the direct west of the application site are numbers 1-6 Walton Lodge, a 2 storey flat development which is just over 6 metres from the boundary of the application site and is clearly visible from within it, although there is a tree centrally placed along the boundary. To the north west of the application site are numbers 7-10 Walton Lodge, which are set in a separate block to numbers 1-6. Beyond these blocks to the west is Walton Close, through which the application site would be accessed. Walton Close has an open plan character and consists of 2 storey houses grouped in blocks of 3, 4 or 5 dwellings on its northern side served by well sized front gardens. There is a communal garage block at the far western end of Walton Close with parking taking place on the southern side of the road.

To the east of the site are the rear gardens of properties in Stone Lane, the nearest being numbers 37 and 39. Number 39 has a longer rear garden with the dwelling being about 25 metres from the application site boundary. Number 35 is closer to the application site with around a 15 metre distance to the site boundary.

The 2 dwellings are shown as chalet style, both 2 storeys with a catslide roof incorporating pitched roof dormers. The garage serving plot 1, which is closest to the western boundary, would have a fully hipped roof.

Plot 2 would be served by a single detached garage with room for a parking space in front of it. Plot 1 would be served by an attached single garage, again with a parking space in front and there is also space shown for a visitor space.

Relevant Planning History

None relevant to the determination of the application.

Consultations

Technical Services

Original comment

The site lies in Flood zone 1, and is unaffected by modelled surface water flooding and as far as I can establish has not suffered any form of flooding.

I would like to raise a holding objection.

I would like to know:

What material the access drive is to be paved in?

Where will the access drive drain surface water to?

What materials the front garden parking areas will be paved in?

Where will these areas drain surface water to?

Where will the individual properties drain to? The back gardens are probably too small to accommodate soakaways.

And finally how does the applicant know the area is suitable for soakaways?

I would not wish to see this conditioned, I would prefer answers before the application is decided.

Further comment in respect of amended plan

Thank you for the opportunity to comment upon this re – application, I note that the site density has been reduced from 3 to 2 houses, but there are still no adequate details provided regarding drainage for me to consider.

I can see on drawing 17069 - 2.07 that the access drive and property car parking areas are to be paved in some form of permeable paving – but I can't establish what this is or where the water is supposed to go to. Will there be type three materials beneath?

Where will the individual properties drain to? The back gardens are now probably just about adequate to accommodate soakaways, which have to be used as Southern Water indicate that they will not take surface water from the site.

And finally how does the applicant know the area is suitable for soakaways?

The application form says that the site is vacant therefore I require an infiltration test to be undertaken to establish the infiltration rate for this area, to confirm that soakaways and access road drainage mats are appropriate. The cost of the test

and analysis is minimal, and will be required in any case but prior knowledge would allow the design / details to be correctly established now.

Until then I would still like a **holding objection** please.

Following receipt of the second set of comments, a 14 page drainage survey was submitted which can be summarised thus:

This Surface Water Drainage Statement has been prepared to support an application for Full Planning Permission at the above address.

This Statement addresses the items listed by Ken Argent in his letter dated 20 February 2018.

Existing Site

The Application Site lies in the area administered by Adur and Worthing District Council. It comprises the garage block and amenity space to the rear of 1-6 Walton Lodge, a small block of flats. The Appendix shows a site location map and aerial view.

Topography: the topographic survey (in the Appendix) shows the site is all but flat, with levels ranging between 16.2m AOD and 15.9m AOD.

Geology: the BGS online map shows this site's solid geology is predominantly Lambeth Group (clay, silt and sand). There is a stratum of River Terrace Deposits – sand, silt and clay (drift deposits) overlying this.

A series of 3 BRE 365 soil percolation tests have been carried out with results ranging between 5.7×10^{-5} m/s and 4.23×10^{-5} m/s. These results are shown in the Appendix.

Proposed Surface Water Drainage

The development comprises 2 new detached dwelling units.

The SuDS Hierarchy (infiltration, watercourses, public sewers, private sewers) has been applied. The best option is the first choice, namely to discharge the development's surface water to ground via infiltration features.

The water from the roofs will be routed to ground via a cellular soakaway. The lowest BRE 365 test result has been used to size this.

The NPPG and Table 2 of the EA guidelines for climate change allowances state that there should be no flooding during the critical '100 years + 40% climate change' storm event.

The total roof area is 146.3m² and the area of pavings is 193m². The Micro Drainage calculation in the Appendix shows that a tank whose dimensions are 9m x

1m x 0.8m deep will hold 6.84m³. The calculation sheets show that 6.2m³ has to be stored in the critical storm.

The driveway will be of porous pavings with sub-base of coarse granular fill (30% voids ratio).

Exceedance flows: in the extreme storm (1 in 1000 years) the porous pavings' make-up will provide additional volume.

It is contended that the proposed storm network is 100% sustainable and therefore complies with the NPPG, CIRIA Guidelines and local drainage policies.

Technical Services final comment

If only all drainage consultants were as good as this.

Happy to accept for condition to read construct as submitted design.

Environmental Health

No objection subject to conditions in respect of hours of demolition and dust suppression with sound insulation to be achieved through Building Control. No issues in respect of contamination.

West Sussex County Council Highways

Original comment to 3 dwelling scheme:

Summary

This proposal is for the erection of three two-storey dwellings - 1 x 2 bedroom and 2 x 3 bedroom houses on land to the rear of Walton Lodge. The site is located off of Walton Close, a D-classified no-through road subject to a speed limit of 30mph.

Access and visibility

Access to the site will be via an existing access which will serve as a shared driveway running alongside the south of Walton Lodge. The proposed plans indicate that the driveway will be constructed from a hardbound material and will be approximately 3m wide, which does not allow for two cars to pass.

The boundary treatment to the North of the entrance to the site has not been demonstrated on the proposed plan. Local mapping shows that the current pedestrian and vehicular visibility is restricted to the North due to the height of the boundary fence. Both pedestrian and vehicular activity at the access to the site is anticipated to be low due to the location of the access in the corner of the turning circle at the end of the no-through road, with no footway crossing the existing access.

The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents within Walton Close. There is no evidence to suggest that the

existing access is operating unsafely, or that the addition of three dwellings will give rise to a capacity concern or would exacerbate an existing safety concern.

Parking and turning

It is proposed to provide two allocated parking spaces per dwelling, plus one visitor parking space. This is in line with the expectations of the WSCC Parking Demand Calculator for dwellings of this size and location. Each parking space meets the minimum requirements of 2.4 x 4.8m as set out in Manual for Streets (MfS) and the plans show sufficient space for a turn on site to be achieved, allowing vehicles to exit onto the publically maintained highway in a forward gear.

Fire appliance and service vehicles

Due to the constraints of the site, the Water and Access manager was consulted and provides the following comments: *To comply with Building Regulation Part B5 it would be required that a fire appliance should be at an operating location no more than 45metres from every part of a dwelling. Due to the narrowness of the driveway it would not be sufficient to reverse down the drive for more than 20metres as this would not allow enough space to exit or operate from the vehicle, so the appliance would be operating from the existing roadway. From a desk top study it may be permissible and within the limits to allow access to plot 1, but plots 2 & 3 would need to be mitigated. This can be achieved by the installation of a mist type sprinkler system which can be attached to a domestic main supply, as these are single dwellings.*

MfS states that waste collection vehicles should be able to access within 25m of the bin storage point. The proposed plans demonstrate that a refuse collection area will be situated at the entrance to the site, therefore waste collection vehicles will be able to turn in the existing turning head of Walton Close and will not need to enter the site. It should be noted that MfS states that residents should not have to carry bins more than 30m where at all practical, although this is an amenity issue.

Sustainability

The site is sustainably located, within walking distance of bus stops which provide links to Worthing and Brighton and West Worthing train station. Cycling is a viable option in this location with Worthing and West Worthing train stations approximately 10 minutes by bike. There is also a high school, health centre and convenience store within walking distance. As a result, the LHA anticipates that the location of the site would not result in the reliance upon the private car. Secure and covered cycle storage has been proposed and demonstrated within the plans.

Construction Management Plan

Matters relating to access during the construction of the proposed would need to be agreed prior to any works commencing. Vehicular access to the site is possible only from Walton Close. A comprehensive construction management plan should be submitted. This should set out the controls to be implemented throughout the construction project to ensure that safety of users of the public highway, as well as its operation, is not detrimentally affected. The construction management plan should, amongst other things, set out how deliveries are to be managed along Walton Close in light of the carriageway width and presence of other vulnerable road users.

Conclusion

The LHA does not consider that the proposal for three dwellings would have a '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 highway capacity or safety concerns to resist the proposal.

Further comments in respect of amended plans

This proposal is for the erection of two 3 bedroom houses on land to the rear of Walton Lodge. The site is located off of Walton Close, a D-classified no-through road subject to a speed limit of 30mph.

WSCC as the Local Highway Authority (LHA) was consulted previously on this application, for the erection of 3 dwellings on the site. The LHA did not raise any highway safety objections to the proposal. The application has now been amended to reduce the development to two 3 bedroom dwellings.

The LHA does not wish to raise any highway safety concerns to the amended proposal.

Southern Water

No objection subject to an informative.

Amended plans – comments remain unchanged.

Waste Strategy Manager

Original comment

Judging from the road layout of this application I would doubt that the developer is suggesting that the vehicle would be accessing the service road. On that basis standard bins can be provided but would need to be left at the end of the service road where it meets Walton Close.

Amended plans comment

My assessment of this one hasn't changed although I note that the developer has now annotated the plans with the bin collection point.

Representations

Original 3 dwelling scheme

A petition signed by residents at local addresses objecting on the grounds of:

- Undue pressure on the road infrastructure of Walton Close and Salvington Gardens.
- Noise, dust and road disruptions will be prevalent during the building process and will adversely affect the residents in the vicinity.

- Over the long term, parking and manoeuvring of vehicles within Walton Close will become more challenging than the current issues which persist.

15 letters of objection were received on the following grounds:

- Clearance of the site caused considerable noise, disturbance and mess.
- Increased parking problems/insufficient parking provision.
- Impact upon trees in neighbouring gardens.
- Loss of light.
- Structures should not be built close to the fence line.
- Loss of privacy.
- Rear garden of Walton Lodge would suffer noise and disturbance.
- Bedrooms in Walton Lodge are too close to the access road.
- Construction vehicles will not be able to park without causing disruption.
- Soil test should be required due to the previous use of the site.
- Proposal does not provide family homes in accordance with the Core Strategy.
- The proposal is out of character with the area in terms of height, design and garden size.

Amended 2 dwelling scheme

10 letters of objection have been received in respect of the amended plans on the grounds above and stating that those concerns have not been overcome, even if the amended plans represent an improvement upon the previous submission.

Relevant Planning Policies and Guidance

Worthing Core Strategy (WBC 2011): Policies 8, 16 & 17
Guide to Residential Development SPD (2013)
National Planning Policy Framework
Planning Practice Guidance (CLG 2014)

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

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

The main issues in the determination of the application are the effect of the proposal upon the character and appearance of the surrounding area, the amenities of

neighbouring properties, highway safety and the effect of the construction of the development if permitted.

The application site is located within the built-up area as defined by the Core Strategy and therefore there is no objection in principle to the development.

The site was previously used as a nursery and contained glasshouses and other outbuildings which have now been cleared away. It is clear from the representations received, that some disturbance was caused to neighbouring residents when this clearance was taking place. This would not have been under control of the planning system though and any consent granted would be subject to a Construction Management Plan (as suggested in consultation responses from the Environmental Health Officer and West Sussex County Council). It is acknowledged that due to the nature of the site, great care must be taken in respect of neighbour amenity but providing adequate safeguards are in place via a Management Plan then there are no grounds to resist an application solely on this basis.

A number of concerns have been raised regarding an adverse impact upon parking and road infrastructure in the area. Members will already be aware of the 'severe' test contained within the previous National Planning Policy Framework (NPPF) and this has been repeated at the revised version in paragraph 109: *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.* It is noted that West Sussex County Council as the Highways Authority do not object to the development and therefore there would be no justification for the Council to refuse the development on highways grounds. The proposed development provides 5 car parking spaces, albeit in tandem form, and therefore displacement onto Walton Close from 2 additional dwellings, to such an extent that could be considered as severe as defined by the NPPF is highly unlikely given that Walton Close is already served by over 30 properties.

Representations have also been made about the character of the area but the application site, access aside, is barely visible from the public viewpoint. In any case, the character of the surrounding area is mixed from the more spacious development in Salvington Gardens and Stone Lane to the south and east to the denser development in Walton Close. It is not considered that there is a prevailing character of the area that would be adversely affected by the proposed development. The design of the proposed dwellings is considered acceptable consisting of half hipped roofs, pitched roof dormers not untypical of newer dwellings found in the town.

The main issue, therefore, is considered to be the impact upon neighbouring properties which has influenced the discussions in reducing the scheme from the originally proposed 3 dwellings to the 2 that now form the subject of the application. There is no constraint to the direct north of the development as the garages serving Walton Lodge are adjacent to this boundary. To the south and east of the application site, the properties in Salvington lane and Stone Lane are set back from the site. As a result, the nearest dwelling in Stone Lane is in excess of 22 metres from the rear of Plot 2 which therefore exceeds the Council's overlooking standard

of 21 metres. Plot 1, which faces south, would be well over 30 metres from the nearest property in Salvington Gardens.

Because the site is a backland development, though, and the access road runs along the southern boundary of the site, it is important that there is room for some landscaping on the southern and eastern boundaries which is considered to be more achievable with the reduction of the development from 3 units to 2 units.

The principal reason for the reduction to 2 units, though, was the effect of the development upon Walton Lodge as this building is in close proximity to the application site being located just over 6 metres from the boundary. Although a tree in the grounds of Walton Lodge reduces some of the impact, the northern units are particularly clearly visible and therefore it has been important to ensure that the impact of the development upon these properties is minimized as far as possible. To that degree, while there were previously 2 dwellings proposed in the northern part of the application site, this has been reduced to 1 unit with the attached single storey garage being relocated to 4.5 metres from the site boundary (and therefore 11 metres from Walton Lodge). Your Officers consider there is a sufficient distance, especially given that the garage is fully hipped (while there is no prescribed distance under the Worthing Core Strategy for distances between the side and rear of proposed and existing buildings, there is a standard of 11 metres operational in Adur which the applicant has referred to in the supporting information accompanying the revised submission). The 4.5 metres gap between the garage and the boundary will allow for use both as a side garden as well some additional landscaping on the western boundary. As a result, therefore, the garden sizes of both plots 1 and 2 both comfortably exceed the Council's external space standards.

The application was also held up in determination pending the submission of a drainage survey and the details submitted now meet with the approval of the Drainage Engineer who has commented positively on the quality of the information received. There have been no objections from Environmental Health regarding the previous use of the site and the provision of new housing.

Guidance in respect of backland development is given within the Council's Supplementary Planning Document (SPD) 'Guide to Residential Development' which acknowledges that some backland development is acceptable subject to some of the factors which are considered above. It is a matter of fact that government guidance positively encourages the development of sites such as this, and indeed encourages them to be used efficiently. Your Officers conclude, therefore, that the reduction of the scheme from 3 units to 2 represents an appropriate balance between the need to provide housing and mitigating the impact upon neighbouring residents and accordingly approval is recommended.

Recommendation

To GRANT permission

Subject to Conditions:-

01 Approved Plans

02 Full Permission

03 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

04 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

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

05 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

06 Prior to the occupation of the development hereby permitted, details shall be submitted and approved by the Local Planning Authority of a sprinkler system to serve plot 2.

07. The development shall be completed in full accordance with the Surface Water Drainage Statement dated July 2018 and submitted by GTA Civils Consulting Engineers unless otherwise agreed in writing with the Local Planning Authority

08 No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Bank or Public Holidays. On all other days such work shall only be undertaken between the hours of 8am and 6pm.

- 09 No development of any kind (including site clearance and demolition) shall take place unless and until a scheme for the suppression of dust during demolition/site clearance and construction has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented throughout the entire course of demolition/site clearance and construction.
- 10 No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
- 11 No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.
- 12 Prior to the commencement of development, details of the floor level of the proposed building and any alterations to the ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved.

Informative

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link

<https://beta.southernwater.co.uk/infrastructure-charges>.

Local Government Act 1972

Background Papers:

As referred to in individual application reports

Contact Officers:

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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.