Application Number: ADC/0498/07 Recommendation – REFUSE

Site: **4 Old Shoreham Road, Lancing BN15 0QT**

Proposal: **Demolition of existing house and erection of 4 two-bedroom flats, 2 two-storey three-bedroom houses and 4 two-storey (plus rooms in roof) three-bedroom houses with associated access and parking (Outline application with layout and access details)**

The Application

The proposal relates to a detached house situated on a very long plot (0.23 hectare) on the south-east of the roundabout at the intersection of the A27 (Old Shoreham Road) with the A2025 (Grinstead Lane). The property currently has its access directly onto the roundabout.

A previous application for the demolition of the existing house and erection of 12 dwelling units including 6 two-bedroom flats and terrace of 6 three-bedroom houses (ADC/0467/06) was refused at this site for the reasons:-

1. The increase in the intensity of traffic using the site, the resulting pattern of development and vehicular movement would adversely affect highway safety and be unsustainable in planning terms. It would result in an increase in vehicles using the service road and access close to the A27 roundabout and increase the number of U-turns in the gap in the central reservation of the A27. As a result, the proposal would be contrary to the policies of the West Sussex Structure Plan (DEV3-5), the Adur District Local Plan (AH2 & AT12) and PPG13.
2. Owing to inadequate forward visibility particularly on the bend of the proposed access road where it enters the site, the proposed layout would give rise to conditions detrimental to highway safety, contrary to policies DEV4 of the West Sussex Structure Plan and AT12 of the Adur District Local Plan.
3. On the information available with this outline application, the LPA is not satisfied that the proposed development would accord with the requirements of the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH2), particularly in respect of achieving a high quality environment, sufficient rear garden space for the proposed houses and adequate standards of privacy and avoidance of an overbearing effect on existing neighbouring dwellings.
4. In the absence of evidence to the contrary, the LPA is not satisfied that the proposed block of 5 flats would not be exposed to unacceptable levels of traffic noise and pollution, contrary to policies AP8 of the Adur District Local Plan and DEV1 & ERA5 of the West Sussex Structure Plan

5. In the absence of a Flood Risk Assessment in accordance with PPs25, the Local Planning Authority, in consultation with the Environment Agency is not satisfied that the site is suitable for the proposed development without being liable to risk of flooding or exacerbating existing drainage difficulties in the locality. The proposal therefore does not meet the requirements of policies AP3-4 of the Adur District Local Plan and ERA 4 of the West Sussex Structure Plan or PPS25.

The current application shows the proposed row of 6 terraced three-bedroom houses to the south of the site unchanged from the previous proposal. The block of flats has been reduced in height from 2½ storeys to 2 storeys and the number of flats reduced from 5 to 4 flats. Flat 6 which was shown accommodated above proposed garages in the previous application has been removed from the current application along with the garage block. No garages are proposed in the current application; 19 car parking spaces are proposed with covered cycle storage.
The proposed access to the site remains unchanged. A supporting letter accompanies the application (copied to both the Local Highway Authority and the Highways Agency). This document amongst other things gives details of estimated vehicle movements and states that a barrier of vertical boards could be erected between the access road and the trunk road in order to prevent car headlight dazzle creating driver difficulty, in an attempt to address the previous reasons for refusal.

Consultations and Representations

Highway Agency: Object on grounds that the proposed development by reason of its design together with its proximity to a roundabout and the number of traffic movements associated with the proposed dwellings would compromise the safety and free flow of traffic travelling along the A27. They state that the proposed development is therefore contrary to Circular 2/2007 and the provisions of PPG13.

County Transport Planning Services: Object on grounds that the proposed access to the site does not appear to meet recognised highway standards and no Stage 1 Safety Audit has been submitted to address the highway issues. The application does not comply with the West Sussex County Council Road Safety Audit Policy and conflicts with policy DEV4 of the West Sussex Structure Plan.

Environment Agency: No objection subject to conditions relating to floor levels and surface water drainage. Advice is given in relation to the protection of controlled water.

Southern Water Services: To be reported

Director of Services: Environmental Health request a suitable scheme of acoustic attenuation (including ventilation) to be agreed in writing prior to commencement of works. A contaminated land condition is also required.

Air quality is not considered to be an issue given the set back location of the proposed dwellings.
The Waste Services Manager states that no refuse storage provision is shown for the flats or houses and these need to be located adjacent to the roadway. Access and turning space on-site for collection vehicles is limited and would be difficult and dangerous.

Lancing Parish Council: Object on highway safety grounds.

Third Parties: 8 letters of objection/concern have been received making comments that the proposals would cause:-

- overlooking, loss of privacy and light
- loss of trees
- highway safety issues arising from the proposed access
- the proposed access and parking areas will cause increased noise and pollution, lack of turning space, loss of parking as vehicles currently park on the slip road
- increased flood risk
- disturbance to wild birds
- devaluation of property

Comment is made that there are no significant changes from the previously-refused application. One letter suggests the proposals should be for 2 and 3-bedroom flats for 1st time buyers.

Relevant Planning Policies and Guidance

West Sussex Structure Plan 2001-16 (2005): LOC1, NE1-2, CH1, ERA1, ERA4-5, DEV1, DEV3-5
Adur District Local Plan 1993-2006 (1996): AB23-27, AH2, AH5, and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.2 "Space Around New Dwellings and Flats"
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
Design Bulletin "Trees and Landscaping" (ADC 1996)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)
PPG24 'Planning and Noise (DoE 1994)
PPG25 'Development and Flood Risk' (DTLR 2001)

Planning Assessment

Policies

The site is located within a residential part of the built-up area and the proposal constitutes redevelopment and infilling as provided for in both Structure and Local Plan policies. There is no objection in principle to infill development within the built-up area and, in order to meet the housing

requirements of the approved Structure Plan and Local Plan, a significant proportion of housing development by way of development of 'unidentified' infill sites is necessary. However, the suitability of individual sites for development depends upon many factors including the adequacy of the means of access to the land, the character of the locality and the siting and configuration of existing and proposed dwellings.

Structure Plan policies give significant weight to making the best use of land through higher density development provided that the impact on the character of the area and environment is acceptable (LOC1, ERA1, CH1) and subject to policy DEV1 requiring high quality development. Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met; it achieves safe and convenient access by a choice of means of travel; it encourages and enables an increase in walking and cycling; and the number and impact of motorised journeys is minimised. DEV5 states that "Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative". The explanatory text refers to a transport contributions methodology (now adopted as TAD payments to sustainable transport improvements).

Local Plan policy AH2 relates to new residential development (by way of infilling and redevelopment) and states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density, layout of buildings and hardsurfaced areas; they do not have an unneighbourly effect due to loss of privacy; daylight/sunlight; outlook or open space, incorporating adequate standards of residential amenity for the new dwellings in terms of amenity space, daylight, outlook and privacy; access and parking provision meets the adopted standards; and they accord with the Council's DC Standard No.2 'Space Around New Dwellings and Flats'.

Government policy in PPS3, in order to achieve a wide choice of high quality homes, improve affordability and create sustainable, inclusive, mixed communities, generally encourages the maximisation of the use of previously developed land for housing development at higher densities and without rigid application of parking and amenity space standards. However, it is also states that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted".
It encourages LPAs to promote "designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes". It states:- "Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation. The density of

existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Density, character and visual amenity

The character of this area is relatively low density; southwards from the site comprising detached and semi-detached dwellings with large rear gardens with trees and shrubs. The density of this existing development is only about 23 dwellings per hectare (dph) which is below the Government's recommended minimum 30 dwellings per hectare for new development. The houses and bungalows in Manor Way and Old Shoreham Road to the east are at a higher density of about 31dph and those to the rear in Hayley Road higher still.

However, No.4 Old Shoreham Road, the application property, has a particularly large curtilage and is at a far lower density than the other properties, being the equivalent of only 4dph. The greater part of the application site appears to be disused and has previously been the subject of enforcement action against unauthorised uses. It is clearly so large as to vastly exceed the need for garden space.

The proposed dwellings would be at a density of 43dph, as compared to the previous application ADC/0467/06 which had a density of 56dph. However, there is still concern that the proposed erection of a block of flats and a terrace of houses would be unsympathetic in character. In particular, owing to the length and narrowness of the developable site, accentuated by the need to accommodate an access road, some of the buildings are relatively close to the site boundaries with neighbouring rear gardens. The environment of the proposed development would be dominated by the access road. Consequently, there is concern that the proposal would not achieve a high quality environment.

Residential amenity (including space standards)

It is recognised that layouts should not be rigidly dictated by dimensional planning standards and that emphasis should be placed on the ingenuity of designers to achieve high quality living environments. However, for the basis of comparison, it is relevant to set out how the proposals compare with the Council's minimum standards.

In terms of amenity space, the Council's DC Standard No.2 requires a minimum rear garden depth of 11m and a minimum area of 65sqm for each three-bedroom terraced house. The proposals show 11m rear garden depths and rear garden areas of 50sqm for 4 of the terraced houses, which is below standard, but over 90sqm for the two end houses, exceeding the 65sqm requirement. For flats, the Standard requires 20sqm minimum amenity space per flat, giving a requirement of 80sqm for the 4 flats. The plans show an irregular area alongside the boundary with No.1 Grinstead Lane, about 3m-

6m wide which provides amenity space which exceeds the minimum standard.

As regards distance between the proposed buildings and existing dwellings and whether this is sufficient to avoid overlooking, the position of principal windows can only be postulated. The block of flats would project about 14m beyond the rear wall of the house at No.1 Grinstead Lane and cause overlooking. Although the plan is denoted "no windows to habitable rooms to boundary elevation", it is difficult to see that windows in this long elevation could be avoided. Moreover, such a long wall, if blank, although 4.6m or more from the boundary, would appear oppressive, particularly because it is angled obliquely towards the side of the rear garden of No.1.

The block of flats would face across the proposed road to the side of the existing house at No.6 and its rear garden, at a distance of about 11m. This is relatively close and likely to result in overlooking of the garden as the majority of windows would need to be on this side, although there are trees and a hedge on the boundary to lessen the impact.

With regard to the terrace of houses at the southern end of the site, the end elevations (denoted as having no windows) would be a sufficient distance from the rear windows of the nearest house to the west at No.9 Grinstead Lane (29m to the west). However, to the east, the bungalows at No's 8 & 10 Manor Way, being at an oblique angle towards the site and on lower ground, would be likely to suffer overlooking of their rear gardens and windows from the front first-floor windows of the proposed easternmost terraced house (the nearest bungalow being only 16m away). It is considered that the proposed houses are too close to the eastern side boundary.

Effect on trees

The proposed layout indicates that most of the existing trees of widely varying types and sizes around the boundaries of the site would be retained. However, a large willow in the south-east corner and some others would be removed. The proximity of the proposed dwellings and road construction to some of the trees gives rise to concern that these trees might be lost either through direct impact of the works or through future desire of residents to fell them because of problems of overshadowing or potential damage to buildings, etc.

Flood risk

The site lies on the edge of the area identified as at risk of flooding by the Environment Agency. A Flood Risk Assessment has been submitted which accompanies this current application. The Environment Agency have no objection to the proposal subject to conditions relating to floor levels and surface water drainage.

Traffic noise and air quality

The proposed block of 4 flats, being located next to the roundabout on the A27, would be subject to high levels of traffic noise, probably NEC 'C' of PPG24 (where dwellings should not normally be allowed unless there are no quieter sites available in which event conditions should be imposed to require adequate protection). The EHO advises that a suitable scheme of acoustic attenuation should be required to be submitted and agreed prior to commencement of development. The development would need to be designed to take account of the conclusions of such assessment. However, the EHO advises that air quality is not an issue for the layout proposed.

Access and parking

It is acknowledged that the existing access directly onto the roundabout gives rise to serious concerns regarding highway safety and that an alternative means of access is desirable if a suitable one can be found. Nevertheless, although the present proposal entails closure of the existing access, it has given rise to objections from the Highways Agency.

The main reason for their objection is that the proposal would generate far more traffic than the existing single house. This, together with the proximity to the roundabout, would compromise the safety and free flow of traffic travelling along the A27 trunk road.

The extension of the service road immediately adjacent to the roundabout, resulting in traffic running in the opposite direction to traffic on the roundabout but separated from it only by a 4m-6m wide verge with a row of posts, must also be a significant concern. This is especially so during the hours of darkness when car headlights would be likely to cause dazzle and hence affect road safety. The applicants have proposed to address this by a timber screen.

Policy DEV4 of the Structure Plan and policy AH2 of the Local Plan require safe and adequate access for development and the proposal is considered to conflict with these policies. Therefore, despite the general need to make better use of underused land within the built-up area and the reasonable distance of the site from local facilities, it is considered that, in this particular case, the vehicular access arrangements are too seriously deficient to be acceptable to serve 10 dwellings.

The County Highway Authority object to the proposal due to the fact that no Stage 1 Safety Audit has been submitted and therefore they are not satisfied that the highway issues that arise from the proposed development have been considered in accordance with the West Sussex County Council Road Safety Audit Policy.

With regard to car parking, under the adopted standard, a maximum of 20 parking spaces are required (ie. 2 spaces per dwelling unit). Given that the

site is within walking distance of local facilities, the proposed provision of 19 car parking spaces is considered appropriate.

If the proposed development were to be allowed, under the adopted Revised West Sussex Parking Standards and Transport Contributions Methodology, a section 106 Obligation would be needed in which the owner undertakes to pay a contribution (calculated under the adopted formula) towards the improvement of 'sustainable' transport facilities in the area, to discourage car usage and mitigate the effects of the proposal. In this case the required amount is £14,910.

Recommendation

REFUSE on grounds that:-

1. The proposed development, by reason of its design together with its proximity to a roundabout and the number of traffic movements associated with the proposed dwellings, would compromise the safety and free flow of traffic travelling along the A27 trunk road. As a result, the proposal would be contrary to the policies of the West Sussex Structure Plan (DEV4), the Adur District Local Plan (AH2) and PPG13.
2. On the information available with this outline application, the LPA is not satisfied that the proposed development would accord with the requirements of the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH2), particularly in respect of achieving a high quality environment, sufficient rear garden space for the proposed houses and adequate standards of privacy and avoidance of an overbearing effect on existing neighbouring dwellings.
3. The proposed access to the site does not appear to meet recognised highway standards and, in the absence of a Stage 1 Safety Audit in accordance with the adopted West Sussex County Council Road Safety Audit Policy, the Local Planning Authority is not satisfied that the proposed development would not result in conditions detrimental to highway safety or that the requirements of policy DEV4 of the West Sussex Structure Plan would be met.
4. There is no evidence that the necessary contribution would be made to improvements to sustainable transport to offset the effects of the travel and infrastructure demands generated by the proposed dwellings, as required by the West Sussex Transport Contributions Methodology and policies DEV3-5 of the West Sussex Structure Plan.

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