Expires 7/8/07

Development Control – Delegated Officer Report

Application Number: ADC/0027/07 **Recommendation - Application Refused**

Site: **78 Brighton Road Lancing West Sussex BN15 8LW**

Proposal: **3 terraced townhouses with integral garages (revised design including additional floor to provide 4 bedrooms instead of 2 per dwelling)** 3

The Application

The site consists of a rectangular shaped plot of land approximately 14m wide and 22m deep, located on the south side of Brighton Road. The plot backs onto the Golden Sands Caravan site, to the east of the site is Southbank Court a 3 storey hipped roof block of flats built in the 1980's. To the north side of Brighton Road are a number of traditional bungalow and two-storey houses.

The site has recently been cleared and does not contain any structures. The site is levelled up until a secondary sea defence bank, which rises approximately 2.5m above the level of the site.

The application proposes to construct a three storey building containing 3 x 3 bedroom townhouses with integral garages. The block will measure approximately 10.6m in height and 13m in width, with south facing rear dormers to accommodate the third bedroom in the roof.

Consultations and Representations

Consultations/Comments

County Transport Planning Services object to the proposal on the basis of inadequate parking and inadequate access width.

The Environment Agency has objected to the proposal on the grounds that the application is not accompanied by a Flood Risk Assessment (FRA) or the Sequential Test being undertaken as required by Planning Policy Statement 25 (PPS25). As the site is within Flood Zone 3 the Exception Test within PPS25 is also required to be applied.

The Assistant Waste Services Manager has noted that the bin storage area does not appear to be able to store the required 2 wheeled bins per townhouse. Additionally the side access appears too narrow to enable free movement of the bins to the front for collection.

The Environmental Health Officer has no objection to the proposal.

Third Parties
Seven (7) letters of objection have been received from residents within the locality. The concerns raised in the letters include the following:

- The design of the proposed townhouses is out of character with the existing block of flats and townhouses along Brighton Road. In particular the rooms in the roof are not in keeping with the design of the other three storey town houses in the near area;
- The application is an overdevelopment of the site which does not allow for adequate parking and access or access to emergency service vehicles and refuse vehicles;
- There will be an overbearing effect to the adjacent neighbours to the south;
- There will be additional noise and disturbance in the area both during the construction of the town houses and after their construction;
- The site is constrained by the earth bank and the A259 and there is not sufficient space for the proposed development;
- There is a risk of flooding in the area and the proposal may increase the risk of flooding to nearby areas;

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5
Adur Development Plan – submission Core Strategy 2006-26 (ADC 2007): H1, H2, H3, T3, T4, ENV4
Adur District Local Plan 1993-2006 (ADC 1996): AG1, AP3, AT12, AH1, AH2 and Supplementary Planning Guidance including Development Control Standard No. 2 'Space Around New Dwellings and Flats'
Planning Policy Statement PPS1 'Delivering Sustainable Development' (ODPM 2004)
Planning Policy Statement PPS3 Housing (DCLG 2006)
Development and Flood Risk PPS25 (DCLG 2006)

Planning Assessment

Planning History
The most relevant planning history to this application includes:

- L/40/03/TP: Demolition of the existing dwelling and erection of 3 townhouses, three storeys high with garages on the ground floor. Refused 14/1/04

- L/44/04/TP: Demolition of existing dwelling and erection of 3 townhouses, three storeys high with garages on the ground floor (resubmission of L/40/03/TP). Approved 4/5/04

- L/1/06/TP: Demolition of existing dwelling and redevelopment with 5 x 2 bedroom flats in a 4 storey block including rooms in the roof (with parking on ground floor. Refused 9/2/06

Planning Policy
Policies in the Structure Plan encourage the re-use of previously developed land by infilling, redevelopment and conversion at higher densities providing the impact on the character of the area and environment is acceptable (LOC1). Policy DEV1 requires development to be of high quality having regard to the local context including the characteristics of the site, the landscape, townscape, streetscape and the use of materials and building styles in the area.

Policy AH2 of the Adur District Local Plan is particularly relevant as it allows for redevelopment in the built up area subject to various design criteria including that the development is in keeping with and enhances the local environment, respects the existing natural features and does not have an unneighbourly effect on the existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space and incorporates acceptable access and parking arrangements.

Design and Appearance
This application proposes 3 x 3 bedroom townhouses to be contained in a building measuring 10.6m in height (approximately 8m to the eaves level) and 13m in width. The proposed building is located in the same building footprint and has similar dimensions as the previously approved 3 x 2 bedroom townhouse (L/44/04/TP), which was proposed to be 10.5m in height with eaves at 7.5m.

The proposed building has a level front façade measuring 13m across. The existing flats to the east are also approximately 13m in width, however, their frontage is broken into two parts, separated by an indented access, causing the building to appear as though it has two smaller front facades at a width of 5.6m. The previously approved scheme (L/44/04/TP) also contained a building13m in width however again the façade was broken by a small front projection (0.3m proud of the main body of the building) with a gable roof set approximately 2m down from the ridge line of the building. The continuous frontage of the proposed building gives a bulky and domineering appearance, which appears unsympathetic to the design of the adjacent flats in the street.

The proposed building is also orientated with its ridge line running parallel to Brighton Road with the hipped roof on the northern and southern elevations. The orientation of the hipped roof lends itself to a massing effect on the building which makes the building appear incongruous within the street scene and results in a cramped appearance on the site.

Residential Amenity
The proposed building contains side windows on the east and west elevation, which serve a hallway on the ground floor, the stairwell on the second floor, a bathroom on the third floor and an en-suite on the fourth floor. As the side windows serve non-habitable rooms they should not cause any undue overlooking impacts. The building is proposed to contain rear dormers with balconies. These balconies will cause some overlooking impact on the

Golden Sands Caravan Park, which lies directly to the rear of the site. It is noted however, that the flats directly to the east of the site also contain rear balconies, which overlook the Caravan Park. The additional balconies proposed should not significantly increase the existing overlooking impacts.

The proposed building is to be set in from both side boundaries by 1m. Council's Development Control Standard No 2. 'Space around New Dwellings and Flats' states that a minimum of 1m should be provided on the side boundary except in the case of larger buildings over 10m wide or more than 2 storeys high. The proposed setback is similar to the previously approved proposal (L/44/04/TP) in which the gap of 1m was considered acceptable due to the distance between the adjoining flats to the east and their site boundary (approximately 3m) and that there is no further development to the west. It is considered that the gap between the buildings is sufficient to reduce any detrimental impact on adjacent residential amenity.

There is an area of rear garden marked on the plans for each of the town houses ranging from $54m^2$, $30m^2$ and $35m^2$. These amenity areas do not accord with Council's minimum standards of $65m^2$ for three bedroom terraces as outlined in the Development Control Standard No. 2. Government guidance in PPS3 notes that dimensional planning standards should not be rigidly applied and the emphasis should be on high quality design. In this instance, the proposed design of the building is not considered to contribute positively to the character of the area and as such the substandard amenity space and the design is considered to detract both from the character of the area and the residential amenity of future occupiers of the proposed townhouses.

Access and Parking

Access is provided from the south side of Brighton Road. The County Transport Services has been consulted on the application and object to the proposal due to inadequate parking and an inadequate access width. The WSCC car parking standards allow for a maximum of three spaces per 3 bedroom dwelling, however, the County have noted that two car parking spaces per dwelling would be more appropriate in this instance. The application currently proposes 1 car parking space per townhouse.

County Transport Services has also noted that due to the narrow width of the garage entrance there would potentially be reduced visibility for vehicles emerging from the garages. The plans were amended to increase the width of the garages from 2.2m to 2.4m, however, the County Transport Services still maintain their objection. It is also noted that the garage space provided may not be sufficient to store cycles on site and additional storage facilities may be required.

As the proposal does not provide adequate car parking spaces or access to the garages, the proposal does not comply with policy AH2 and AT12 of the Adur District Local Plan.

Flooding
The site has been identified as being located in Flood Zone 3. The Environment Agency has objected to the proposal as the application was not accompanied by a Flood Risk assessment or the Sequential Test being undertaken as required by Planning Policy Statement 25 (PPS25). The previously approved scheme for 3 x 2 bedroom townhouse building was able to provide a flood risk assessment. The Environment Agency did subsequently approve the flood risk assessment providing that the floor levels were set no lower than 5.0 AOD and the dwellings were afforded an adequate degree of protected access to land outside of the known flood risk area. As the principle of development within this Flood Zone area has been established, it is considered that the Environment Agency's concerns could be addressed by condition and the issue of potential flood risk would not warrant refusal.

Sustainable and Resource efficient buildings.
The Core Strategy for the Adur Development Plan has recently been submitted to the Secretary of State. Policy ENV4 of the new Adur Development Plan states that measures will be required to ensure new buildings achieve efficient environmental performance to meet the Government's new code for Sustainable Homes. Policy H3 also requires that all new homes be designed to 'Lifetime Homes' standards. A condition could be placed on any approval to ensure that the proposed new townhouses are able to meet the code for Sustainable Homes and the application states that the proposal has been designed to accord with the Lifetime Home standards.

On balance, it is considered that the proposed building, due to its design with the continuous front façade, the orientation of the hipped roof and overall massing, appears domineering in the street scene and out of keeping relative to the existing design of the flats to the east. The massing causes the building to appear cramped within the site and the poor design and substandard amenity space would have a detrimental impact on the residential amenity of future occupants. Additionally the access and parking arrangements do not comply with policies AH2 and AT12 of the Adur District Local Plan.

Recommendation

REFUSE on grounds that:-

H21AR: The proposed development by reason of its mass and unsympathetic design would appear incongruous within the street scene and out of keeping and detrimental to the character of the locality. The proposal would therefore detract from the residential amenities and the environment of the locality, contrary to the policies of the WSSP (DEV1) and the ADLP (AG1, AH2).

7BR: The proposal does not include adequate provision for on site parking in a satisfactory manor to the standard required by the Local Planning Authority and the proposal is therefore contrary to the policies of the WSSP (DEV4-5) and the ADLP (AT12).

Case Officer: .....
Date: 7/3/07

Peter Davies 7 3 07