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ADUR DISTRICT COUNCIL
PLANNING APPLICATION
APPROVED
DATE
29 AUG 2007

ADUR DISTRICT COUNCIL
PLANNING DIVISION
PLAN No. ADC001107
DATE RECEIVED 25 JUL 2007

LUXOR BUILDINGS, STATION PARADE,
SOUTH STREET, LANCING,
WEST SUSSEX, BN15. 8AA.

APPLICATION FOR PLANNING PERMISSION FOR THE PROVISION OF 2 SELF-CONTAINED FLATS TO REAR AT FIRST FLOOR LEVEL, 1 SELF-CONTAINED FLAT TO REAR AT SECOND FLOOR AND 1 SELF-CONTAINED MAISONETTE TO REAR AT SECOND FLOOR & TOWER FLOOR LEVEL.

PLANNING, DESIGN & ACCESS STATEMENT

FOR
EUROSTAR VENTURES LTD.

Proprietor : D.G.Laverick, BTP. MRTPI. Chartered Town Planner

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1.0 ASSESSMENT: Context of the site & its surroundings

Physical

1.1 The premises which are the location for the proposed development are situated within Station Parade, on the south-eastern side of South Street, the B2222.

1.2 The premises lie at the southern end of the immediate terrace of commercial/retail properties within the shopping parade. There are 8 properties within the terrace to the north.

1.3 Further commercial premises lie to the south of the application site, whilst to the rear of the premises lie residential blocks of flats.

1.4 Directly opposite the application site, on the other side of South Street, lie the pedestrian and vehicular approaches to Lancing Railway Station, (main line).

1.5 The application property has an extremely irregular shape, roughly in a 'T' shape form. The application property has a frontage of approximately 20 metres and a depth of roughly 21 metres.

1.6 The application building at present comprises ground floor retail use with residential flats on the first floor level.

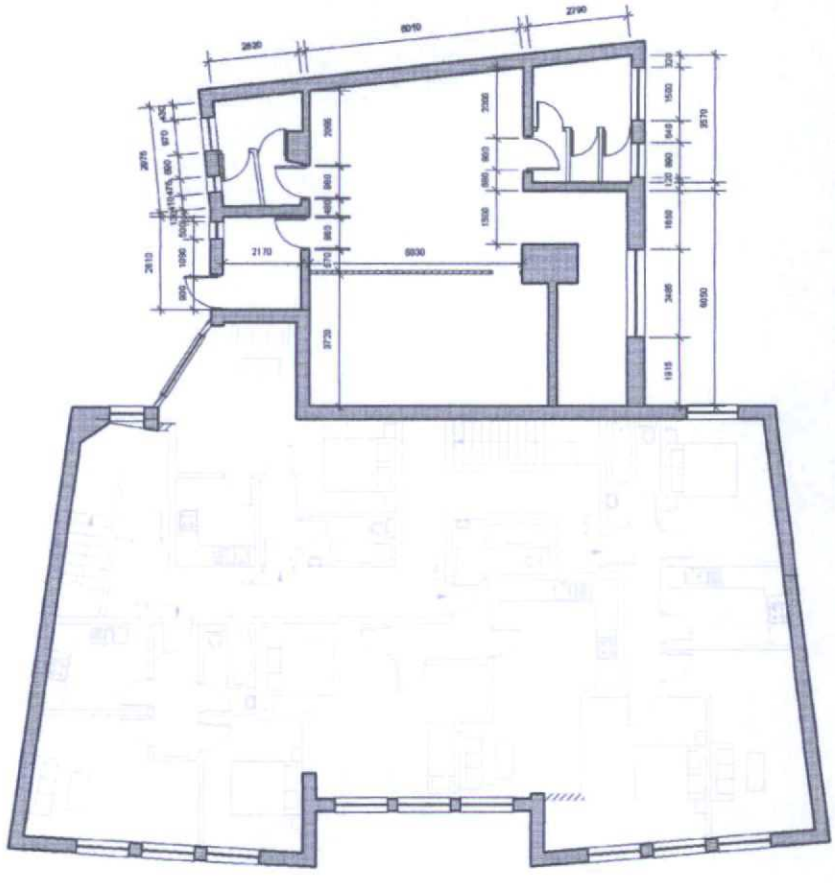
1.7 The residential accommodation provided on the first floor may be seen in the drawing detailed immediately overpage. This comprises 1 one-bedroom flat, 1 bed-sit unit and 2 two-bed roomed flats, (one three person and one four person unit).

1.8 These flats comprise a one bed unit containing a lounge, double bedroom, kitchen and a bathroom.

1.9 The bed sit unit comprises a bed-sitting room with kitchen area and a bathroom.

1.10 The third unit comprises a lounge with kitchen area, a single bedroom, a double bedroom and a bathroom.

1.11 The second two-bedroom unit is a four person flat comprising a living room with separate kitchen, two double bedrooms and a bathroom.



EXISTING First Floor Plan

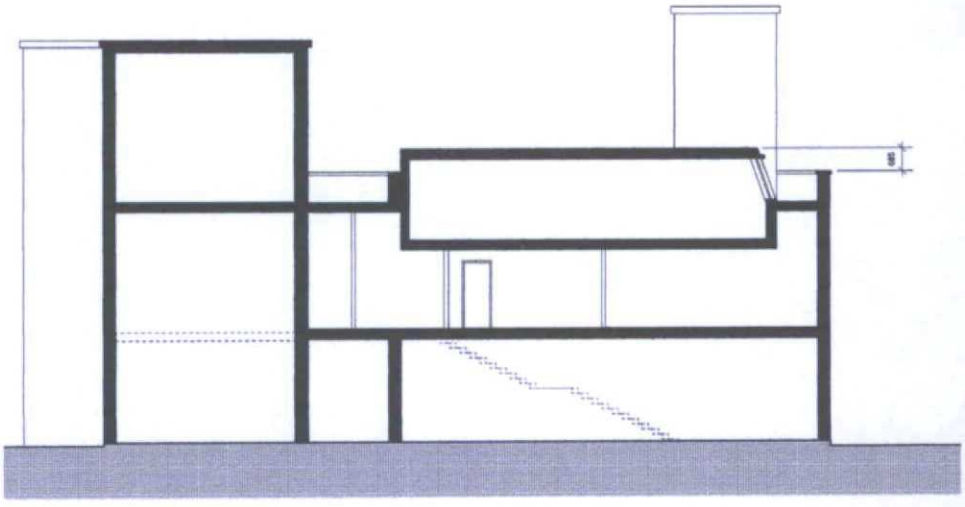
1.12 Access to the first floor residential accommodation is located to the left hand side of the frontage via a single access staircase from a separate front entrance door leading directly off the street elevation. This separate, self-contained front door can be seen readily in the existing front elevation drawing shown immediately overpage.

1.13 Access to the commercial, retail ground floor part of the premises is taken directly off the main front elevation at three separate retail shop front doors, leading straight into the individual retail units.



EXISTING Front Elevation
(with Application ref: ADC/0240/07 detail included)

1.14 The main part of the building to the frontage of the site, facing onto the street elevation, is two-storeys. However, there are also three-storey 'tower' sections of the building towards the front elevation and the rear of the building. This can be easily seen in the existing section drawing detailed immediately below.



EXISTING Section
(with Application for Second Floor ref: ADC/0240/07 detail included)

1.15 Two separate planning applications have been made prior to this proposal regarding the premises. One application, (Reference No. ADC/0240/07), is for the insertion of second floor & raising of main roof by 0.7 M to create 2 two bedroom second floor self-contained flats. This follows on from the approval of an outline application granted planning permission in September 2003 for exactly the same development.

1.16 The second previous application involves the provision of third self-contained flat to second floor level, comprising 1 one bedroom unit incorporating gallery. No reference number has yet been given to this application.

1.17 The area immediately surrounding the application site is of mixed character, with residential properties and commercial/retail properties on the ground floor level with residential accommodation on the upper floors. Additionally, there is the Lancing Railway Station.

1.18 The application site does not lie within any designated conservation area and the premises are not a listed building.

1.19 The A2025, Grinstead Lane, which lies to the east of, and roughly parallel to South Street, provides quick and easy road access to the north and south of Lancing Station and the application site.

1.20 Lancing Railway Station, located immediately in front of the application premises, provides for ease of public transport access to other directions out of Lancing.

Social

1.21 The proposed provision of additional residential accommodation on three floor levels will provide for four additional residential units upon the site.

1.22 This will clearly provide a benefit to the neighbouring occupants by allowing additional occupants within the immediate vicinity resulting in greater social interaction within the locality as well as increased level of supervision and monitoring of the immediate locale providing increased level of security.

1.23 Three of the proposed flats within the building will be two-bed roomed units, providing family accommodation; probably a young couple/family who desire to live in a town centre location within easy reach of local facilities and good transport facilities. One single bedroomed unit is also proposed within the premises.

1.24 The provision of these three 2-bed family sized flats will thus serve to benefit the community by adding to the number of family units of accommodation available within the Borough as a whole and specifically within the immediate area.

1.25 The single bedroomed flat will also benefit the community by providing a single bed unit for a young couple in the form of perhaps a starter flat.

1.26 There is, therefore, with the new flats proposed, a good mix of dwelling provision including family sized units and a single bed units.

1.27 The proposal will also provide a more sustainable form of development than exists at present and utilising this 'Brownfield Site' to a greater intensity of use.

Economic

1.28 The proposed development at the premises, resulting in four additional dwellings will clearly benefit the community by adding to the housing stock within the Borough and specifically within the immediate locality.

1.29 The increased occupancy of the premises and site will serve to benefit local retail and commercial businesses within the area and provide a permanent increase in the rateable income within the community benefiting the Local Authority and the residents within the Borough.

1.30 The increased residential occupancy will thus serve to benefit the commercial viability and vitality of the immediate area by increasing the local population and thereby the number of potential customers to local shops and resulting in encouraging interest and investment within the local commercial area.

Planning Policy Considerations

1.31 The relevant development plan is the Adur District Local Plan adopted April 1996. The Plan provides planning guidance for the development and use of land. As such, it seeks to improve the environment of the local plan area, promote the regeneration of areas in need of renewal in a sustainable way and promote access to new development for the whole community.

1.32 The lifetime of the Plan is limited, however, as on 13th May 2004 the 'Planning and Compulsory Purchase Act' received Royal Assent. This Act reforms the development plan system replacing the former regime with the Local Development Framework, (LDF).

1.33 The Act requires the submission of a Local Development Scheme (LDS) setting out the three year project plan for each LDF document the Council will produce. The LDS contains details on how and when the Council will prepare and implement the new planning framework.

1.34 Under the arrangements for transferring to the new planning system, adopted structure and local plans retain their development plan status and automatically become "saved" policies for a period of three years from the commencement of the Planning and Compulsory Purchase Act 2004 on 28th September 2004.

1.35 The Adur Local Development Scheme (LDS), approved by Adur District Council on 29/06/2006, sets out the Council's programme for the preparation of new policies over the next three years (2005 –2008). This is the project plan for preparation of the new policies which together will form the Adur Local Development Plan (ADP).

1.36 The new policies for the District will take the form of a number of Local Development Documents (LDDs).They will comprise Development Plan Documents (DPDs), and also Supplementary Planning Documents (SPDs) which will not form part of the Development Plan.

1.37 The DPDs along with the West Sussex Structure Plan 2001 – 2016, and then the South East Plan (the regional spatial strategy, when adopted by the South East England Regional Assembly), will comprise the statutory development plan for

Adur District. These will be the basis upon which all planning decisions are made.

1.38 In addition to the policies of the above-mentioned documents, a number of national planning policies are relevant to this proposal.

1.39 To prevent this statement becoming excessive in length and over-detailed, only the specifically pertinent policies contained within the Adur District Local Plan are contained within the immediately following paragraphs.

Local Planning Policy

1.40 With regard to housing, the Council's Aims & Objectives include:-

To meet the needs of the district's residents for housing whilst recognising the need to protect the countryside and urban environment.

Objectives

(a) To meet the requirements of the Structure Plan for new housing.

(b) To encourage the provision of housing for those unable to afford accommodation on the open market.

(c) To meet housing needs on sites within the built-up area.

(d) To resist the loss of viable residential accommodation.

(e) To recognise the needs of householders to extend their property.

(f) To recognise the need for elderly persons homes, nursing and convalescent homes and others (e.g. hostels).

1.41 POLICY AH1

The following provision is intended to meet the remaining West Sussex Structure Plan housing requirement for the Adur District in the period 1st July 1993 to mid 2006:-

(a) Development of up to 500 new dwellings on sites currently identified in the West Sussex Residential Land Availability Survey on which planning permission had been granted at 1st July 1993.

(b) Development of 670 new dwellings on sites of up to 1.0 hectare currently unidentified (including infilling, redevelopment, conversions and changes of use).

(c) Development of up to 294 dwellings on sites identified in this Local Plan on which planning permission had not been granted at 1st July 1993 (Development Proposals DP.AH1 to DP.AH3 identified on the Proposals Map).

Permission may be refused for further development if it can be demonstrated that the provision required in that phase will become available in that phase.

1.42 POLICY AH2

New residential development by way of infilling or redevelopment will be acceptable in the built-up area, providing the site is not allocated for any other purpose in this Local Plan. Any proposal will be expected to be designed so that:-

(a) its appearance, character and scale create a pleasant place in which to live and is in keeping with and enhances the existing local environment with particular attention being paid to the architectural form, height, materials, density and layout of both buildings and associated structures and hard surfaced areas;

(b) it respects the existing natural features of the site, including land form and trees;

(c) it does not have an unneighbourly effect on existing dwellings by reason of unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;

(d) it incorporates adequate standards of residential amenity for the new dwelling(s) in terms of open amenity space, daylight/sunlight, outlook, and privacy;

(e) access arrangements to the public highway and on-site parking arrangements are acceptable under Policy AT12, and

(f) it accords with the standards adopted by the District Planning Authority.

1.43 POLICY AH5

There will be a presumption in favour of the supply of dwelling units suitable for small households (such as single persons, small families and the elderly). However, the District Planning Authority, in implementing this policy, will have regard to the desirability of a mix of dwelling types both within the development the locality subject to the need to accord with the criteria contained in Policy AH2.

1.44 POLICY AH7

Extensions and alterations to existing houses and bungalows will be expected to be designed so that:-

(a) proposals would not result in an unacceptable degree of overlooking, loss of natural light or overbearing effect on neighbouring dwellings;

(b) design and materials are sympathetic to both the original dwelling and the area in general;

(c) the proportion of the garden area taken by the proposal would not be excessive having regard to the character of the area;

(d) access and car parking provision is acceptable under Policy AT12, and

(e) it accords with the standards adopted by the District Planning Authority.

1.45 POLICY AH9

The conversion of dwellinghouses into smaller self-contained units will be permitted providing that:-

(a) access and car parking provision is acceptable under Policy AT12 and can be made within the curtilage of the original dwelling without detriment to the character of the area;

(b) the proposal would not have an unacceptable adverse effect on neighbouring properties in terms of overlooking or noise transmission through party walls, and

(c) the type of property concerned and the standard of accommodation to be provided accord to the standards adopted by the District Planning Authority.

The conversion of small family houses will not be permitted.

1.46 POLICY AS5

In the areas shown as being subject to this policy on the Proposals Map the District Planning Authority will seek to retain a predominant shopping use, as defined in Use Class A1 of the Town and Country Planning (Use Classes) Order 1987. Whilst the District Planning Authority will not normally permit changes to non-retail use at ground floor level, proposals for non-retail uses will be treated on their merits and will be assessed in relation to the need for the proposed use compared to retail use of the particular premises concerned.

1.47 Supplementary Planning Guidance

Development control Standard No.4: Flat conversions

Para. 1.12 The Adur District Local Plan 1996 defines the boundary of built-up areas and develops the housing requirements of the Structure Plan (in policies AH1, 3, 5 and 6). It also contains detailed policies for safeguarding specific areas or features such as Conservation Areas (AB4), Listed Buildings (AB7-11), buildings of townscape merit (AB12), amenity open space (AB22) and trees (AB25), as well as requirements for access and parking (AT12 and 13) and, in certain cases, for landscaping and tree planting (AB26 and 27), noise insulation for certain road, railway and aircraft noise (AP8), and archaeological features (AB1). Of particular relevance is Policy AH9 which, in effect, sets the objectives of this Standard. It states:-

The conversion of dwellinghouses into smaller self-contained units will be permitted providing that:-

(a) access and car parking provision is acceptable under Policy AT12 and can be made within the curtilage of the original dwelling without detriment to the character of the area;

(b) the proposal would not have an unacceptable adverse effect on neighbouring properties in terms of overlooking or noise transmission through party walls, and
(c) the type of property concerned and the standard of accommodation to be provided accords to the standards adopted by the District Planning Authority.

The conversion of small family houses will not be permitted.

1.48 Development control Standard No.4: Flat conversions, contains parameters & criteria with regards to internal space standards, size of flats and rooms, internal layout and extensions and External alterations.

1.49 Para. 3.l Where conversion includes the addition of an extension, or any other material change to the exterior of the building, the effect of these on the property itself, on adjoining premises and on the local environment generally must be considered.

1.50 Para. 3.2 In the case of conversion of a dwellinghouse to flats, the size of extension will be limited to the size which normally would be permitted if the property were to remain as a single dwellinghouse. The Council's Development Control Standard "Extensions and Alterations to Dwellings" should be consulted in this respect.

1.51 Para.3.3 Conversions sometimes include changes to the external appearance of a building including the provision of fire-escapes and the installation of additional doors, windows, pipes etc. Changes, such as external stairs which lead to overlooking of adjoining properties or a poor standard of appearance, will be refused. Additional pipework etc. should be kept to a minimum and located so that it is not detrimental to the street-scene or the visual amenities of adjoining premises.

1.52 The proposed development for The Luxor Building complies in all respects with the objectives and policies of the Council's Adopted Adur District Local Plan and fully embraces current National Planning Guidance and Statements and good practice.

1.53 The proposal especially accords with specific tenets of sustainability benefits, which include the following:

- encouraging more sustainable patterns of travel by reducing the need for people to travel by providing more intense use residential developments within town centre locations.

- reducing people's desire to travel by unsustainable means, by encouraging them to use convenient public transport facilities and discouraging the use of the private car by providing no additional parking facilities;

Policy Summary

1.54 The proposed development at the Luxor Building is an excellent example of regeneration which fully embraces the Council's Local Policies as well as the current planning agenda expressed through National Planning Policy Guidance and Planning Policy Statements.

1.55 The proposed residential accommodation is considered ideally-suited to fulfil the objectives of the Council's policies to meet the needs of the local area and to accord with the advice and requirements of Central Government with regard to providing sustainable development. The proposal is therefore in accordance with existing local and regional policy, embracing best practice regarding detailed design and mixed land use issues.

2.0 EVALUATION

2.1 The existing property comprises a two-three-storey building with retail use upon the ground floor and residential accommodation to the first floor of the premises.

2.2 The existing situation provides for an inefficient and underproductive use of this specific part of the premises.

2.3 There is clearly the opportunity to provide an improved and increased level of accommodation in line with Central Government guidance to provide increased levels of residential accommodation on 'Brownfield Sites' such as this, within town centre locations and with good access to public transport and shopping/leisure facilities.

2.4 The above contention is clearly supported and substantiated by the fact that Outline Planning Permission was granted on 19th September 2003 for the insertion of second floor & raising of main roof (by 0.7 M) to create 2 two bedroom second floor self-contained flats.

2.5 Within this part of South Street the use is a mixture of residential and commercial/retail premises. Residential use strongly predominates on the upper floors in all of the immediately surrounding roads and, therefore, the continued but increased use as a residential property is clearly the only use that is appropriate for the premises.

2.6 Residential use is also the only one that will comply sympathetically with the immediately adjoining and adjacent properties and not detrimentally affect the amenity of any neighbouring resident.

2.7 Any redevelopment/refurbishment/conversion that is proposed must pay attention to the amenity of the neighbouring residents within the immediately surrounding area and those within the first floor of The Luxor Building itself.

3.0 DESIGN

Use

3.1 This document is submitted to accompany a planning application for the provision of four self-contained flats on three floor levels.

3.2 The A1 retail use on the ground floor will remain unaltered and continue to provide service and facilities for local residents.

3.3 Likewise, the four residential flats at first floor level will remain unaltered and provide for accommodation as at present.

3.4 The proposed four self-contained flats are to be located to the rear part of the building, on the first, second and rear tower level.

3.5 The access staircase is located centrally within the building, to the rear of the existing front part of the property. The central access point opens out onto the entrance hall/lobby at first floor level.

3.6 The additional residential accommodation will accord with the Local Authority's policies with regard to the provision of additional housing stock within the District, as well as policies of the West Sussex Structure Plan 2001–2016, the South East Plan (the regional spatial strategy) and Central Government guidance as contained within Planning Policy Guidance Notes 3 & 13 and Planning Policy Statements 1 & 3.

3.7 The extra residential accommodation will additionally comply with the requirements of sustainable development in locating such accommodation in close proximity to shopping and leisure facilities and transport links and in such a town centre location.

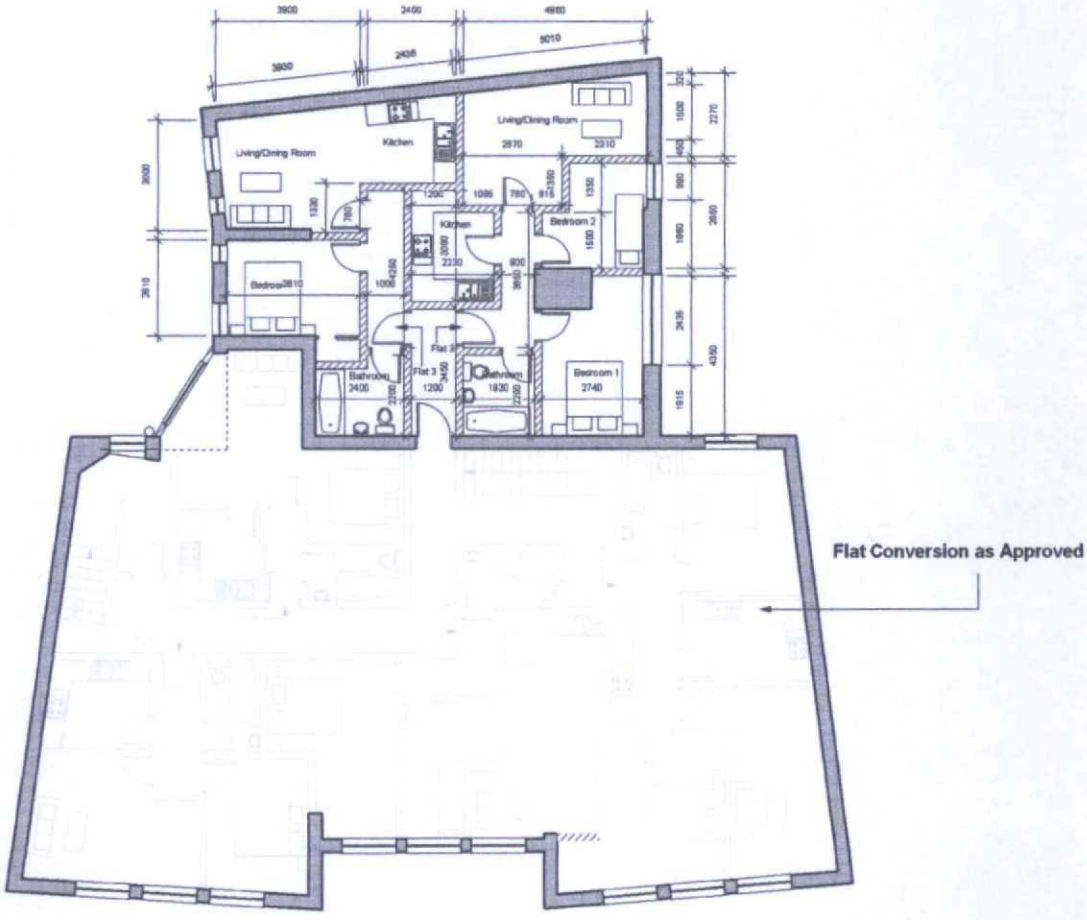
3.8 The reuse of a Brownfield site is obviously in strict accord with the clear Central Government guidance with regard to sustainable development and the maximisation of use in such a location as this town centre situation, as well as the reuse and refurbishment of old sites.

Amount

3.9 The proposed flats to the first floor at the rear of the premises will comprise one 1-bedroom unit and one 2-bedroom flat.

3.10 The former flat will possess entrance hallway, a living room/dining room with kitchen area, a double bedroom and a bathroom.

3.11 The latter unit will comprise a living/dining room with separate kitchen, a double bedroom, a single bedroom and a bathroom.

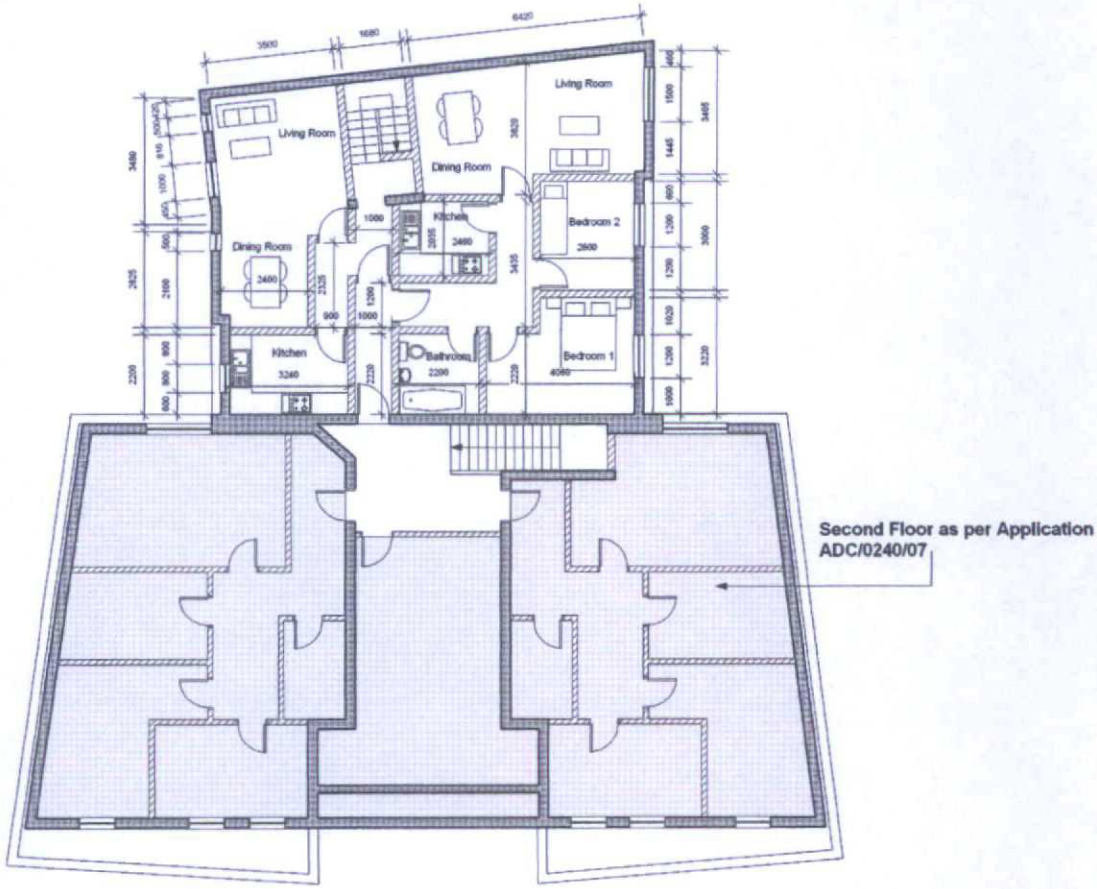


PROPOSED First Floor Plan

3.12 On the second floor there will be a two bedroom flat and the lower part of the two-bedroom maisonette. The upper part of the maisonette will be located within the existing tower to the rear of the premises.

3.13 At second floor level the two-bedroom flat will possess a living/dining room with separate kitchen, a double bedroom, a single bedroom and a bathroom.

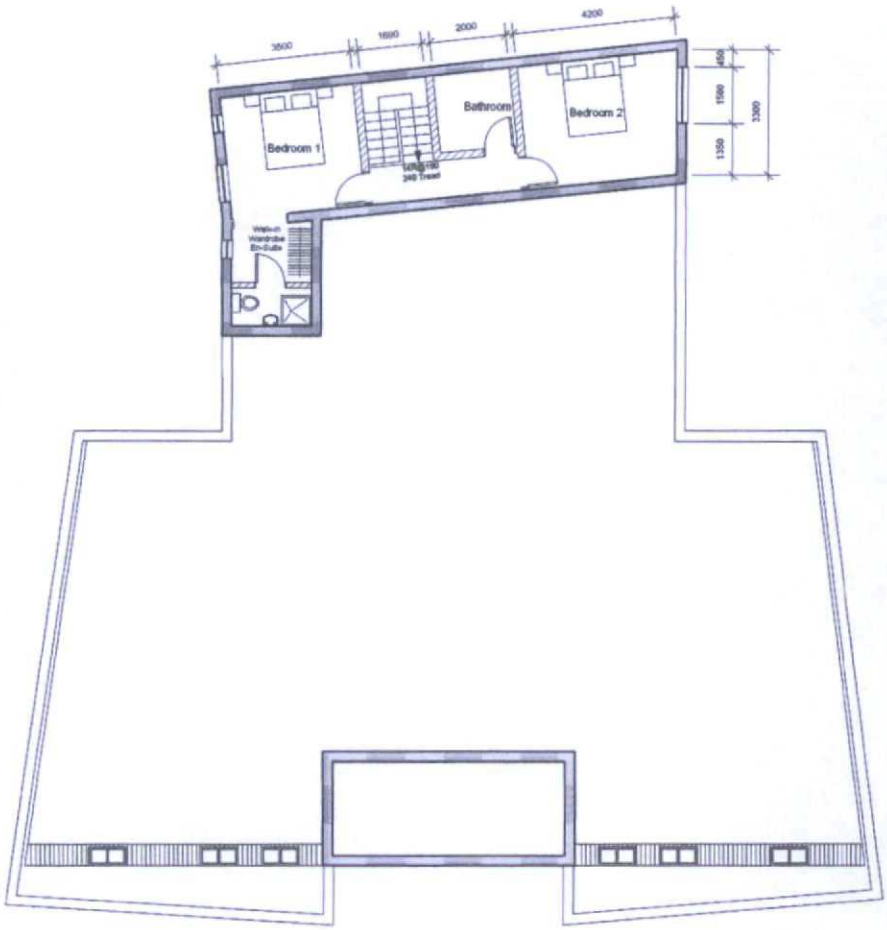
3.14 At this level of the premises, the lower part of the two-bedroom maisonette will comprise a living room/dining room and a separate kitchen, with access staircase to the rear of the premises up to the tower level containing the remaining accommodation of the maisonette.



PROPOSED Second Floor Plan

3.15 The remaining accommodation of the maisonette is contained within the tower structure to the rear of the premises. This floor level will contain two double bedrooms, (one en-suite) and a bathroom.

3.16 Please see the enclosed drawing immediately below, which shows the accommodation to be provided at this floor level.

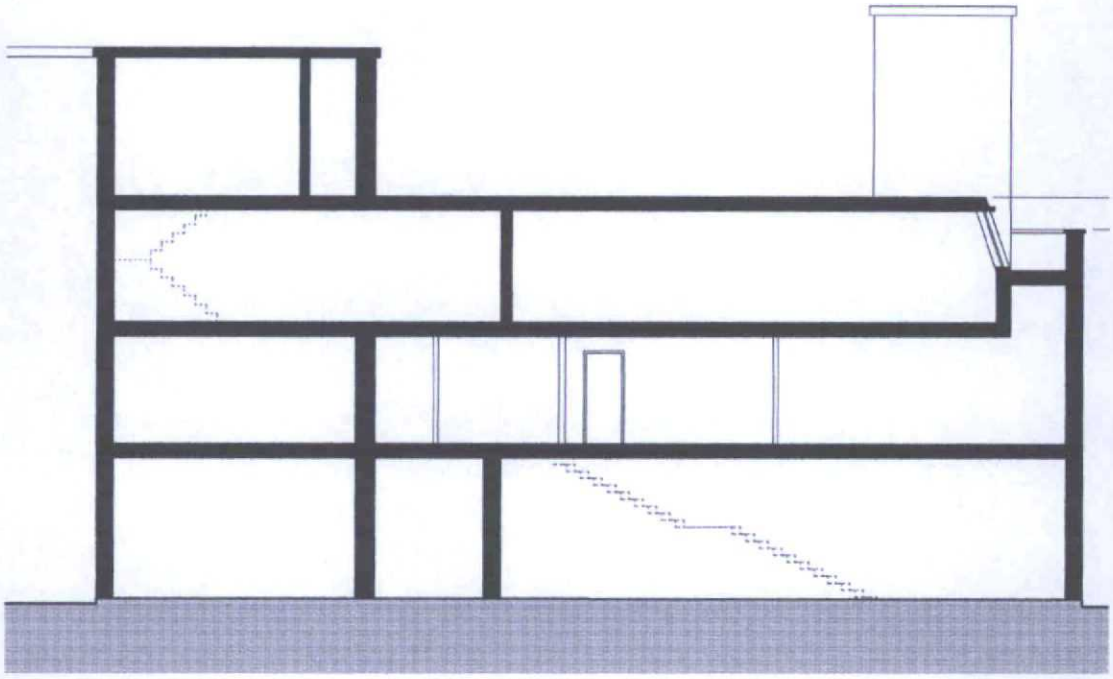


Proposed Tower and Roof Floor Level

3.17 All of the proposed residential accommodation will be provided within the existing building structure without the need for any external extension or major external alteration.

3.18 Most of the fenestration within the proposed development exists. There will, however, be some additional windows and alterations to extant windows in the flank elevations. These alterations are shown on pages 23, 24 & 25. As these elevations are set well away from any neighbouring residential property, the proposal will result in no adverse affect upon the amenity of any neighbouring occupant.

3.19 The lack of any major or material external alteration can be appreciated by reference to the drawings showing the existing and proposed elevations as mentioned in the above paragraph. The drawings showing the sections also aid understanding of the proposal. The existing section has already been shown on page 5 above. The proposed section is shown immediately below overpage.



PROPOSED Section

3.20 The proposed development will allow for improved accommodation to be provided within the premises without having adverse affect upon the amenity of any neighbouring resident.

3.21 The proposed flats will be of satisfactory size, proportions and layout for their specific provision, (i.e. two bedroom units....etc.) and will possess more than sufficient natural lighting and ventilation to all rooms.

3.22 It is strongly considered that the provision of the number of residential units within the application can provide the optimum amount of accommodation within the site, intensifying the use and providing as sustainable as possible a development on such a 'Brownfield Site,' in a town centre location and without adversely affecting the amenity of any interest of acknowledged importance.

Layout

3.23 The main entrance door to all of the flats, including the extant four upon the first floor and the new proposed flats is located

to the front elevation immediately on the frontage of the building opening directly on to South Street.

3.24 All doors and windows within the front and rear elevations of the premises will remain unaltered on all floor levels.

3.25 The proposed development for the provision of four additional residential units on the first, second and tower floor levels of the premises will result in increased levels of surveillance of the premises to both flank elevations, as well as the existing surveillance of the front and rear elevations, thereby resulting in improved security

3.26 This will provide a residential and commercial development that is strictly in accord with the overarching desires and objectives of the 'Designing Out Crime' guidance. This seeks to ensure that pedestrian streets and rear, secluded private areas are overlooked and effectively monitored so as to reduce the incidence of crime, such as burglary, housebreaking and mugging on the streets.

3.27 The close relationship of the flats with the street allows for good accessibility for the occupants and especially so for disabled persons or those who have problems of mobility, such as the aged and infirm.

3.28 The development has been designed to provide, in strict accord with the guidance from Planning Policy Guidance Notes 3 and 13, as well as Planning Policy Statements 1 & 3, a form of residential accommodation within this 'Brownfield Site' that is sustainable and maximises the potential of the premises in such a town centre location.

3.29 It is submitted that the development achieves these aims without having any adverse affect upon the amenity of any neighbouring resident, or the character or appearance of the immediate area or the street scene in general.

Scale

3.30 As clearly discussed in the paragraphs above, the development involves the provision of four additional self-contained flats within the existing structure of the premises.

3.31 Internal alterations provide the ability to provide for the new residential accommodation without the need to further extend the premises. It is submitted that the development proposed

achieves this higher level off residential accommodation without causing any adverse affect upon the amenity at present enjoyed by the occupants of any neighbouring property.

3.32 The level of accommodation provided within the proposed development makes use of the physical opportunities and constraints within the site and does not markedly extend the footprint or layout of the extant building. The accommodation proposed is appropriate for the site and provides a development that enhances the immediate area, both socially and economically.

Landscaping

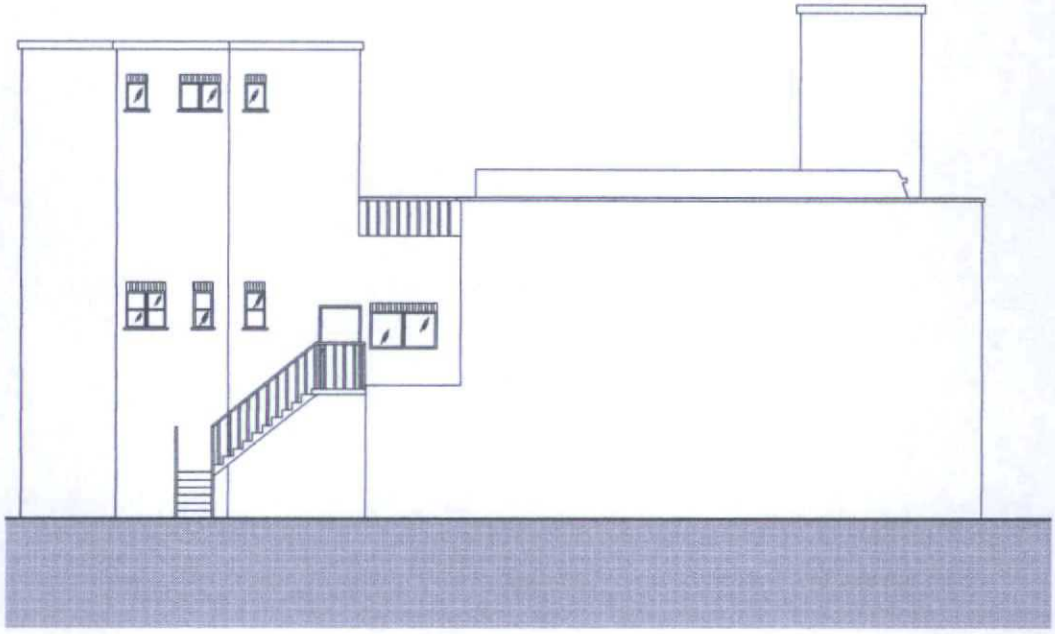
3.33 The proximity of the building to the pavement at the front elevation of the property leaves little/no opportunity to provide any form of landscaping to the frontage of the dwellings.

3.34 Likewise, the urban location of the application site and its physical constraints means that there is no possibility to provide for external amenity space to the rear or side of the property. The rear of the premises will still be used in association with and as part of the use of the ground floor of the property as retail properties.

3.35 The entrances and access ways on the ground floor will be level and of non-slip surfacing.

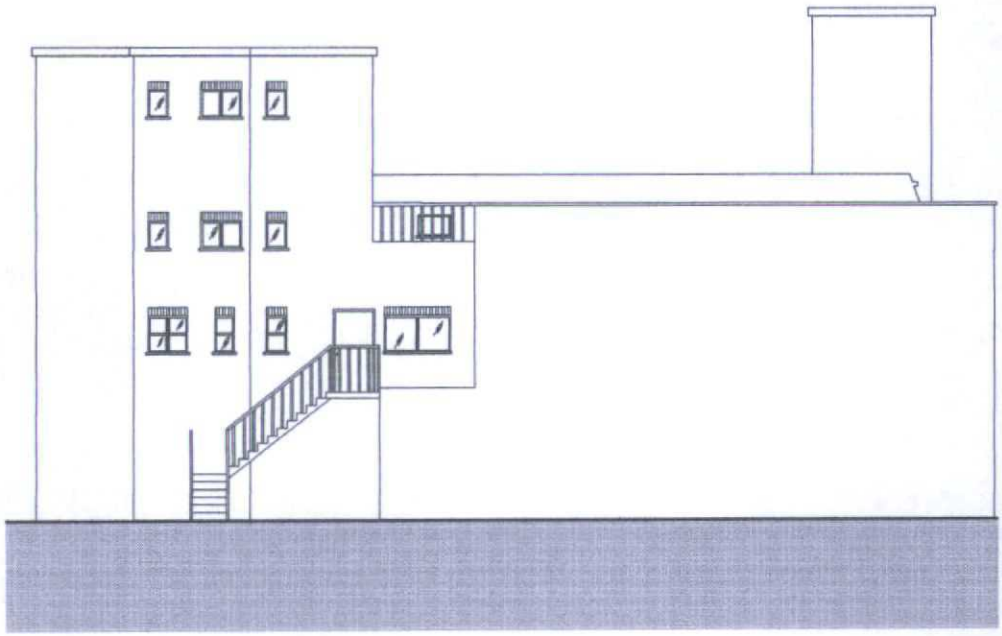
Appearance

3.36 The general overall visual impression of the premises as seen from all directions will remain very similar to that at present, due to the fact that the only external alterations proposed are the installation of replacement windows to the flank elevations including the provision of additional small windows.



EXISTING East Elevation
(with Application for Second Floor ref: ADC/0240/07 detail included)

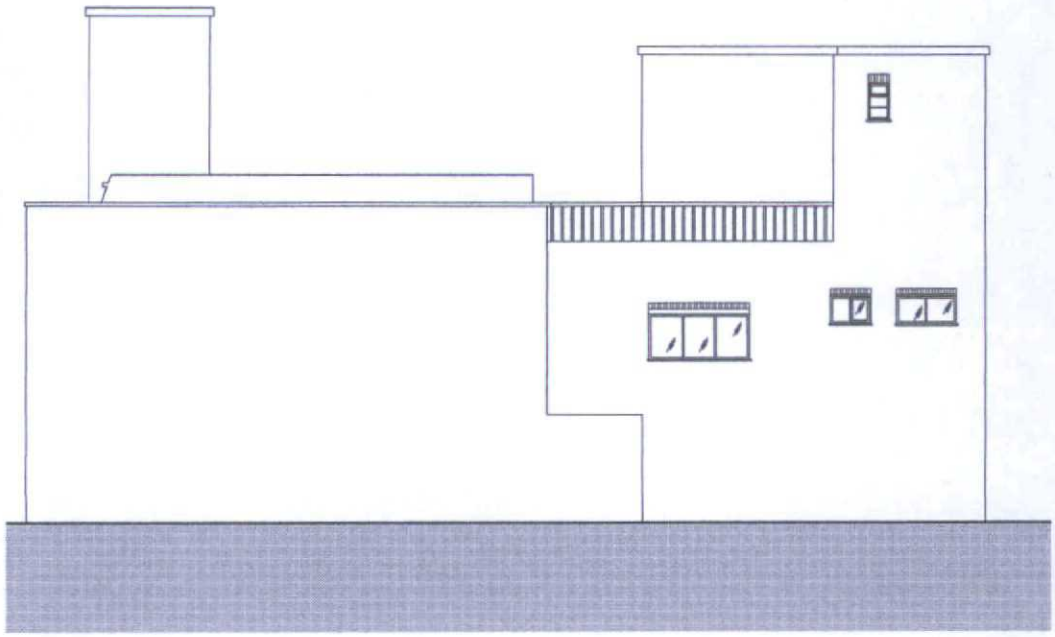
3.37 The validity of the above contention can be assessed by view of the existing east elevation shown immediately above and the proposed east elevation shown immediately below.



PROPOSED East Elevation

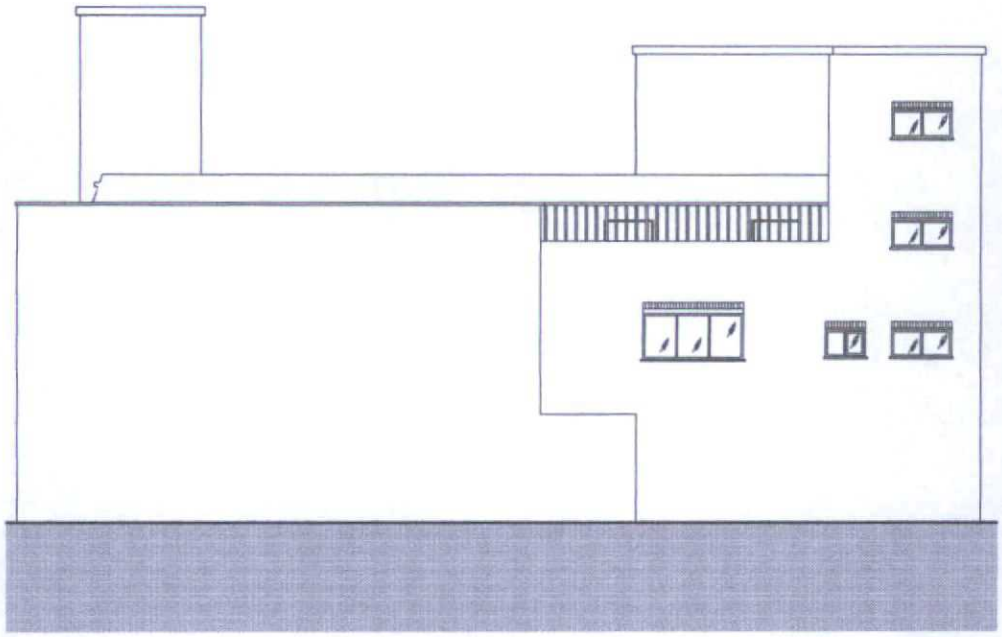
3.38 It is strongly believed that this proposal will fit-in sympathetically with the overall appearance of the building, its architectural integrity and that of the immediately neighbouring properties as well as the character and appearance of the immediately surrounding area and the street scene.

3.39 It is submitted that the proposal now submitted will fit in sympathetically with the immediately adjacent properties and provides a development that results in no adverse affect upon the amenity of any neighbouring resident, character or appearance of the immediately surrounding area or the general street scene.



EXISTING West Elevation
(with Application for Second Floor ref: ADC/0240/07 detail included)

3.40 To assist in the assessment of the above contention the existing west elevation is shown immediately above and the proposed west elevation shown immediately overpage.



PROPOSED West Elevation

3.41 Consequently, it is contended that the proposed development provides much needed additional residential accommodation on a Brownfield site in a town centre location without adversely affecting the amenity of any interest of acknowledged importance.

3.42 The existing ground floor retail premises and residential accommodation on the first floor level will be retained in their entirety, as will the existing form and architectural integrity of this visually important building and the sense of place that it possesses within the street scene.

4.0 ACCESS

4.1 Access to the proposed development, the provision of four additional residential self-contained flats, will be taken directly off the road immediately in the front of the proposed structure, (South Street), on whose immediate frontage the building and its site are located.

4.2 The short pedestrian access pathway from the back edge of pavement up to the main entrance door to the ground floor level for all flats will be finished in non-slip surfacing to provide safe and secure footing for the disabled, aged and infirm.

4.3 Access to the upper floor flats for those in a wheelchair is inappropriate. Although wheelchair access is not feasible, access for those who have lesser disabilities, the aged and the infirm, is made readily available by the provision of staircases, access ways, corridors and doorways of sufficient width to allow for ease of movement and manoeuvrability.

4.4 The main entrance door to all of the flats is readily visible straight away from the street and is of sufficiently close proximity to the back edge of pavement to be readily accessible to everyone, including those persons with impaired sight.

4.5 Similarly, access for emergency services is provided readily from the highway and in clear and unmistakable locations. Location for congregation in the event of an emergency would be immediately in front of the building.

5.0 SUMMARY

5.1 The application premises clearly demonstrate a situation where the guidance provided by Central Government undoubtedly indicates that a residential development of greater intensity of use and therefore a much more sustainable form of residential accommodation should be provided upon this Brownfield site in such a town centre location with good access to public transport and shopping facilities, leisure activities .....etc.

5.2 This situation would seem to be clearly borne out by the fact that planning permission in outline form has already been granted in September 2003 for the insertion of second floor & raising of main roof (by 0.7 M) to create 2 two bedroom second floor self-contained flats.

5.3 This outline approval demonstrates the acceptability in principle of such a proposal as now submitted and shows how increased residential accommodation can be provided in such a town centre location on a Brownfield site without adversely affecting the amenity of any neighbouring resident.

5.4 It is submitted that the total site area would suggest that in terms of guidance contained within Planning Policy Guidance Notes 3 & 13 and Planning Policy Statements 1 & 3, the overall site is being underused for a town centre location and in terms of sustainability.

5.5 It is consequently contended that the overall development of the site of The Luxor Building within Station Parade in South Street is in scale with the area of the site, its frontage and relationship to neighbouring properties.

5.6 The development is appropriate for the area, its character and to provide for an increased level of accommodation in line with the advice given by Central Government with regard to redevelopment of previously developed 'Brownfield' sites. The proposal will also will provide for a well designed building that has architectural merit and a positive and sympathetic presence upon the application site.

6.0 CONCLUSIONS

6.1 The proposal is fully in accordance with recent national planning guidance including PPS1, PPS3, PPG3, and PPGI3, the West Sussex Structure Plan 2001–2016 and the South East Plan (the regional spatial strategy), which encourage more efficient use of previously developed sites within urban locations such as the application site which are well-served by public transport.

6.2 Sustainability: The proposed development is highly sustainable. The current building provides four self-contained flats contributing to the housing stock within the borough, whilst the creation of four new residential flats in addition to the previous applications will provide high quality, efficient and far more appropriate use of this previously developed residential site.

6.3 In line with national planning policy, this Brownfield development is in a sustainable location being well served by public transport, thus reducing the need to travel by private car.

6.4 High Quality Design:. The proposal has been prepared to incorporate high quality design, which will result in an overall improvement to the local built environment. The proposal takes the opportunity to introduce new build elements in an appropriate and sympathetic manner.

6.5 The proposed development of The Luxor Building provides the opportunity for this genuine regeneration scheme which complies with adopted and emerging, national, regional and local planning policy objectives.

6.6 The development includes a number of sustainability benefits including, encouraging more sustainable travel patterns, providing opportunities for more sustainable living and working patterns and improving the overall environment of the area;

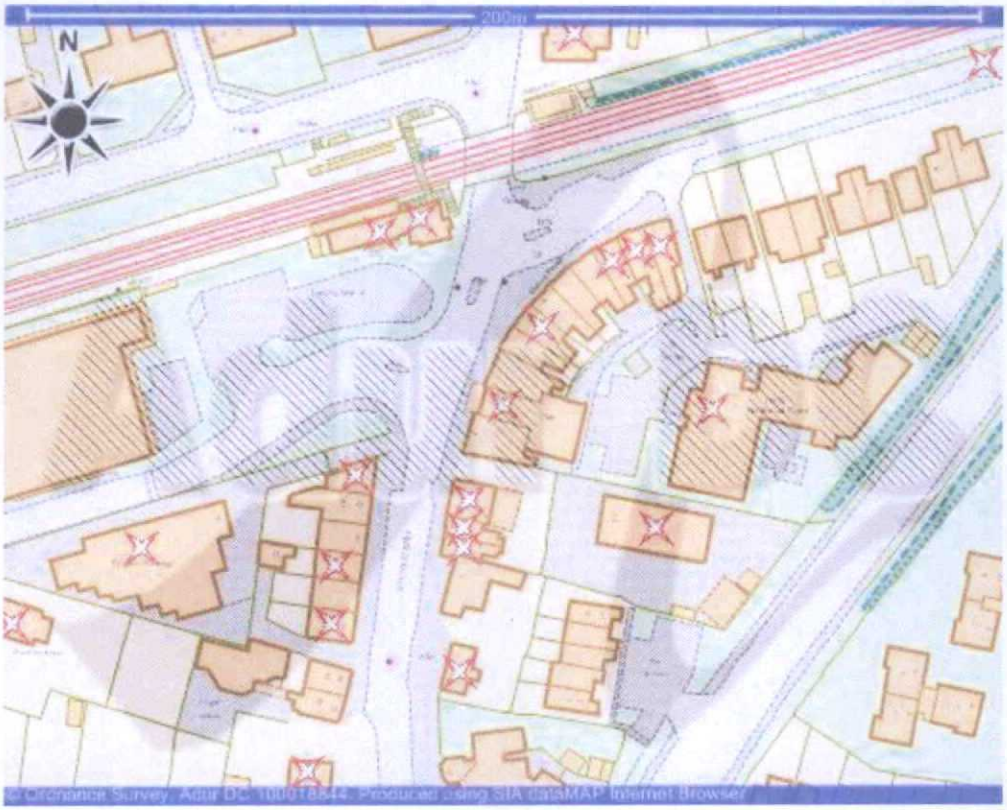
6.7 The proposed development will respect the character and appearance of the neighbouring buildings, the immediate locality and the prevailing townscape and will have no adverse affect upon the amenity of any neighbouring occupier.

6.8 The development will, therefore, accord with the requirements of the advice given in PPS1, PPS3, PPG3 and PPG13 with

regard to sustainable development without causing any material harm to the interests of any acknowledged importance.

6.9 It is consequently submitted that the proposal for The Luxor Building would provide a positive development that fulfils all the desires of a sustainable development and that the Council should look favourably upon the proposal.

APPENDIX 1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© Ordnance Survey. Addr DC 100018844. Produced using SIA dataMAP Internet Browser

APPENDIX 2

ADUR DISTRICT COUNCIL

CIVIC CENTRE, HAM ROAD
SHOREHAM-BY-SEA
WEST SUSSEX BN43 6PR

TEL: 01273 263222

PLANNING PERMISSION

TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

APPLICATION NUMBER **L/141/03/TP**

Details of development

INSERTION OF SECOND FLOOR & RAISING OF MAIN ROOF (BY 0.7m) TO CREATE 2 TWO-BEDROOM SECONDFLOOR FLATS (OUTLINE)

Location of development to which application relates

LUXOR BUILDINGS
STATION PARADE, SOUTH STREET
LANCING

Permission

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development in accordance with the application and relevant correspondence and subject to compliance with the conditions specified on the attached Schedule.

Your copy of the application, determined as above, is returned herewith for your records

Peter Davies

Head of Planning & Policy

19-09-03

HAWKINGS FAGG PARTNERSHIP
SUITE 5HF
VANTAGE POINT
NEW ENGLAND ROAD
BRIGHTON BN1 4GW

TP02

APPENDIX 3

Structure Plan & Regional Spatial Strategy policies

As well as the District Plan policies, relevant policies of the West Sussex Structure Plan 2001 – 2016 and the South East Plan (the regional spatial strategy, when adopted by the South East England Regional Assembly), are also to be taken into consideration with regard to the acceptability of the proposed development.

Such policies that are considered to be of relevance to this planning application are those including strategic policies to provide additional housing and specific policies with regard to new housing, conversions, mix of units, parking standards, Design & Access Statements, alterations and extensions, sustainability and neighbour amenity.

It is not intended to go into specific detail with regard to these policies as much would be duplicated of what has already been detailed of the more appropriately specific and more closely relevant District Council policies.

APPENDIX 4

NATIONAL PLANNING POLICY

Planning Policy Guidance & Planning Policy Statements

Government guidance on the main planning issues is provided in Planning Policy Guidance Notes (PPG's) and the emerging Planning Policy Statements (PPS's). The key PPG's and PPS's which apply to the proposal for The Luxor Building are summarised below.

PPS 1: Delivering Sustainable Development (2005)

This PPS replaces Planning Policy Guidance (PPG) Note 1, General Policies and Principles, published in February 1997. PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.

Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations.

The Government set out four aims for sustainable development in its 1999 strategy.2
These are:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- the prudent use of natural resources; and,
- the maintenance of high and stable levels of economic growth and employment.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

The Government state that the following key principles should be applied to ensure that development plans and decisions taken on planning applications contribute to the delivery of sustainable development:

(i) Development plans should ensure that sustainable development is pursued in an integrated manner, in line with the principles for sustainable development set out in the UK strategy. Regional planning bodies and local planning authorities should ensure that development plans promote outcomes in which environmental, economic and social objectives are achieved together over time.

(ii) Regional planning bodies and local planning authorities should ensure that development plans contribute to global sustainability by addressing the causes and potential impacts of climate change – through policies which reduce energy use, reduce emissions (for example, by encouraging patterns of development which reduce the need to travel by private car, or reduce the impact of moving freight), promote the development of renewable energy resources, and take climate change impacts into account in the location and design of development.

(iii) A spatial planning approach should be at the heart of planning for sustainable development (see paragraphs 30 – 32 below).

(iv) Planning policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see paragraphs 33 – 39 below).

(v) Development plans should also contain clear, comprehensive and inclusive access policies – in terms of both location and external physical access.6 Such policies should consider people's diverse needs and aim to break down unnecessary barriers and exclusions in a manner that benefits the entire community.

(vi) Community involvement is an essential element in delivering sustainable development and creating sustainable and safe communities. In developing the vision for their areas, planning authorities should ensure that communities are able to contribute to ideas about how that vision can be achieved, have the opportunity to participate in the process of drawing up the vision, strategy and specific plan policies, and to be involved in development proposals.

In delivering sustainable development The Government advises that as a general approach in preparing development plans, planning authorities should, inter alia, seek to:

"……

(ii) Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities.

Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places.

(iii) Promote communities which are inclusive, healthy, safe and crime free, whilst respecting the diverse needs of communities and the special needs of particular sectors of the community.

(iv) Bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing, ... taking into account issues such as accessibility and sustainable transport needs, the provision of essential infrastructure, including for sustainable waste management.....

(vii) Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges.

(viii) Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land.

(ix) Enhance as well as protect biodiversity, natural habitats, the historic environment and landscape and townscape character.

....."

PPG3: Housing (March 2000)

> "Planning Policy Guidance (PPG) notes set out the Government's policies on different aspects of planning. They should be taken into account by regional planning bodies and local planning authorities in preparing regional planning guidance and development plans and may also be material to decisions on individual planning applications and appeals. This guidance introduces a new approach to planning for housing which, for most authorities, will mean that their development plan will require early review and alteration in respect of housing."

Paragraph 2. states that :

> "Local planning authorities should:
>
> ....provide sufficient housing land but give priority to re-using previously-developed land within urban areas, bringing empty

homes back into use and converting existing buildings, in preference to the development of greenfield sites;

make more efficient use of land by reviewing planning policies and standards;

....promote good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live."

Paragraph 11 states that :-

"Local authorities should

"....avoid housing development which makes inefficient use of land and provide for more intensive housing development in and around existing centres and close to public transport nodes;

promote improved quality of developments which in their design, layout and allocation of space create a sense of community; and introduce greater flexibility in the application of parking standards, which the Government expects to be significantly lower than at present.

Paragraph 21 states that:-

"The Government is committed to promoting more sustainable patterns of development, by:

concentrating most additional housing development within urban areas;

assessing the capacity of urban areas to accommodate more housing;

Paragraph 37 states that:-

"Determining planning applications

Development plans form the framework within which decisions on proposals for development are taken. It is important that plans are kept up to date and properly reflect national policy guidance. Local planning authorities should revise their plans to take account of the guidance set out in this PPG: they should seek to do so as quickly as possible by incorporating revised policies and proposals either in replacement plans or by alteration of existing housing policies."

Paragraph 38 states that:-

> "In considering planning applications for housing development in the interim, before development plans can be reviewed, local authorities should have regard to the policy contained in this PPG as material considerations which may supersede the policies in their plan (see paragraph 54 of PPG1)."
>
> ".....Where a proposed housing development involves the use of a previously developed site or the conversion of existing buildings, the proposal may need to be amended in accordance with this guidance, for example in relation to design, layout, density and parking."

Para 41 states: With regard to conversion and re-using buildings

> "Local planning authorities should adopt positive policies to : promote such conversions by taking a more flexible approach to development plan standards with regard to densities, car parking....."

Para 51 states:

> "........Local planning authorities should allow housing developments with limited or no off-street car parking in areas with good public transport accessibility and where effective on-street parking control is present or can be secured."

Paragraph 56 states that :-

> "New housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development, recognising that new building technologies are capable of delivering acceptable built forms and may be more efficient. Local planning authorities should adopt policies which:
>
> create places and spaces with the needs of people in mind, which are active, have their own distinctive identity but respect and enhance local character;"

Paragraph 57 states that:-

> "Making the best use of land
>
> Local planning authorities should avoid the inefficient use of land. New housing development in England is currently built at an average of 25 dwellings per hectare but more than half of all new housing is built at less than 20 dwellings per hectare. That represents a level of land take which is historically very high and which can no longer be

sustained. Such development is also less likely to sustain local services or public transport, ultimately adding to social exclusion. Local planning authorities should therefore examine critically the standards they apply to new development, particularly with regard to roads, layouts and car parking, to avoid the profligate use of land. Policies which place unduly restrictive ceilings on the amount of housing that can be accommodated on a site, irrespective of its location and the type of housing envisaged or the types of households likely to occupy the housing, should be avoided."

Paragraph 58 states that :-

"Local planning authorities should therefore:

avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net - see definitions at Annex C);

encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net); and

seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors."

Para 60 states:

".....Car parking standards for housing have become increasingly demanding and have been applied too rigidly, often as minimum standards. Developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street parking when there is no need, particularly in urban areas where public transport is available or where there is a demand for car-free housing."

Planning Policy Statement 3: Housing states, at Paragraph 1:-

"Planning Policy Statements (PPS) set out the Government's national policies on aspects of planning in England. PPS3 sets out the national planning policy framework for delivering the Government's housing objectives. This complements, and should be read together with, other relevant statements of national planning and housing policy (in particular PPS1: Delivering Sustainable Development and the forthcoming PPS on Climate Change)."

Paragraph 2. states that:-

"..... A principal aim of the new PPS3 is to underpin the Government's response to the Barker Review of Housing Supply and the

necessary step-change in housing delivery, through a new, more responsive approach to land supply at the local level."

Paragraph 7 states that:-

"On publication of this PPS, Local Planning Authorities will need to assess and demonstrate the extent to which existing plans already fulfil the requirement set out in this statement to identify and maintain a rolling five-year supply of deliverable land for housing, particularly in connection with making planning decisions (see paragraphs 68 to 74)."

Paragraph 68 states:-

"Local Planning Authorities should take into consideration the policies set out in Regional Spatial Strategies and Development Plan Documents, as the Development Plan, as well as other material considerations. When making planning decisions for housing developments after 1st April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans."

Paragraph 69 states:-

"In general, in deciding planning applications, Local Planning Authorities should have regard to:

- Achieving high quality housing.
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
- The suitability of a site for housing, including its environmental sustainability.
- Using land effectively and efficiently.
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues."

Paragraph 70 states:-

"Where Local Planning Authorities have an up-to-date five year supply of deliverable sites and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up-to-date five year supply, Local Planning Authorities will need to consider whether granting permission would undermine achievement of their policy objectives."

Paragraph 71 states:-

"Where Local Planning Authorities cannot demonstrate an up-to-date five year supply of deliverable sites, for example, where Local Development Documents have not been reviewed to take into account policies in this PPS or

there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69."

Paragraph 72 states:-

"Local Planning Authorities should not refuse applications solely on the grounds of prematurity."

Paragraph 73 states:-

"When considering applications relating to sites for which planning permission has been previously granted for a similar proposal, but where the development has not been implemented, Local Planning Authorities should consider, based upon robust evidence provided by applicants, whether the site is likely to be developed. There is no presumption that planning permission should be granted because of a previous approval, particularly if the original permission proposal did not deliver the policy objectives of this PPS."

Paragraph 74 states:-

"The Town and Country Planning (Residential Development on Greenfield Land) (England) Direction 2000 and The Town and Country Planning (Residential Density) (London, South East England, South West England, East of England and Northamptonshire) Direction 2005 will be cancelled with effect from 1 April 2007."

PPG13: Transport (March 2001)

This revised guidance reinforces the Government's objective of creating a more sustainable transport system. PPGI3 promotes sustainable transport choices and accessibility to jobs, shopping and leisure facilities by public transport, walking and cycling, whilst reducing the need to travel by car.

The guidance encourages local authorities to manage the pattern of urban growth by concentrating major generators of travel demand in city, town and district centres, close to public transport interchanges. Increased intensity of development for housing is also encouraged at highly accessible locations.

A major shift in policy in this revised guidance is the introduction of maximum rather than minimum parking standards. These are designed to work alongside other planning and transport measures to promote sustainable transport choices and reduce reliance on the car.

National maximum parking standards have been introduced which apply on all developments of more than 1000 m2 gross floorspace. Local authorities are encouraged to use their discretion in setting levels of parking for smaller developments. Minimum parking standards are now considered unacceptable, other than for disabled parking.

Final Report of the Urban Task Force

The Final Report of the Urban Task Force, Towards an Urban Renaissance, was published in 1999. Chaired by Lord Rogers of Riverside, the Urban Task Force made a series of recommendations to encourage regeneration in cities and towns.

The report recommends that 60% of new development should take place on previously developed ('Brownfield') sites. In order to achieve this, it recommends that local authorities should be discouraged from using 'density' and 'over-development' as reasons for refusing planning permission and argues the case for creating a planning presumption against excessively low-density urban development.

The report encourages the development of more sustainable cities by enabling people to walk, cycle or use public transport to reach their destination. Therefore, higher density developments are encouraged in close proximity to high quality public transport facilities.

Lord Rogers' team stress that good design makes public places attractive and usable, thereby attracting people into urban areas, which in turn generates an upturn in the fortunes of the areas. This positive cycle is the means by which places can be sustainably regenerated and is critical to making other elements of Government planning and regeneration policy work.

In the London context, it is a notable indication of the importance of design and of the themes promoted by the Urban Task Force that Lord Rogers has been appointed as an advisor to Mayor Ken Livingstone on design issues.

Urban White Paper

The Urban White Paper was published by the DETR in November 2000. Following on from the above-mentioned Urban Task Force report, it outlines the Government's strategy for an urban renaissance, which includes:

a. getting the design and quality of the urban fabric right;

b. enabling all towns and cities to create and share prosperity;

c. providing the quality services people need; and

d. equipping people to participate in developing their communities.

(Urban White Paper, para.. 11)

The White Paper supports ideas including allowing people easy access to local shops and community facilities on foot or bike, creating sustainable developments which are well served by efficient and reliable public transport, and bringing Brownfield land back into productive use.

Planning and Compulsory Purchase Act (2004)

This Act encapsulates the desires of the 'Urban White Paper' concerning the simplification of the process of compulsory purchase of land, in an attempt to secure the aforementioned 'urban renaissance'.

The new system requires the production of a suite of documents, which will make up the Camden Local Development Framework,, (LDF), the primary role of which is to guide the development of Camden.

It is intended that the LDF will achieve this goal by providing clear policies relating to the location and design of development that will be used in the assessment of planning applications as part of the Development Control process.