TOWN AND COUNTRY PLANNING ACT 1990

Site at Former Willows First School, Irene Avenue, Lancing, BN15 9NR

Appeal by West Sussex County Council against the refusal by Adur District Council of outline application (all matters reserved) for 23 houses and flats (with one, two, three and four bedrooms and of one, two and two-and-a-half storeys) and ancillary works

Planning Inspectorate reference: APP/Y3805/A/11/2164238/NWF

LPA reference: ADC/0069/11

WRITTEN REPRESENTATIONS OF LOCAL PLANNING AUTHORITY

1. The Site and its Location

1.1. The appeal site comprises the former Willows First School buildings, accessed from Irene Avenue, and the former youth hut accessed from West Lane. In total, the site measures 0.65ha. It is largely rectangular to the west and narrows to an L-shape to the east. It is bordered to the north by two-storey houses in Irene Avenue and West Lane and by single-storey bungalows in Pemberton Close. The site is bordered to the south by the playing fields of The Globe Primary School.

2. Planning History

2.1. Planning permission was refused by the Council for an earlier application for a virtually identical development in December 2010 (LPA reference ADC/0282/10). The reason for refusal was:

2.2. The proposed residential development is unacceptable because the land is not allocated in the Adur District Local Plan or otherwise identified for residential use and the Local Planning Authority is not satisfied, on the information currently available, that the school and youth facility is no longer required to serve the local community. The proposed development would therefore conflict with saved Local Plan policy ASC5.

3. The Appeal Proposal

3.1. The proposal subject of the current appeal is for the demolition of all the buildings on the site and its redevelopment with 23 dwellings in an unspecified mix of 1, 2, 3 and 4-bedroom houses, flats and bungalows of one, two, and two-and-a-half storeys. The illustrative plans show 15 houses, 2 bungalows and 6 flats (comprising 2 four-bedroom houses, 10 three-bedroom houses, 3 two-bedroom houses, 2 two-bedroom bungalows, 4 two-bedroom flats and 2 one-bedroom flats).

3.2. The illustrative layout shows 13 houses accessed from Irene Avenue and 10 units (6 flats, 2 bungalows and 2 houses) accessed from West Lane. It includes frontage development to both Irene Avenue and West Lane with the remainder in the form of 2 culs-de-sac with no through route across the development site. The density of the development amounts to 35.5 dwellings per hectare. 30% of the total number of houses (7 units) is stated to be affordable.

3.3. Some of the dwellings are shown as having their own accesses and parking spaces direct from the road while others are served by parking courts within the development. 45 spaces are proposed (compared with 40 previously) at a ratio of 1 space per unit (23) with the rest (22) as visitor spaces. There is a central amenity space on the Irene Avenue side of the development.

3.4. The application was refused at the Planning Committee meeting on 9 May 2011 for the following reason:

The proposed residential development is unacceptable as the Local Planning Authority is not satisfied, on the information currently available, that the community facility (youth services hut) is no longer required to serve the local community. The proposed development would therefore conflict with saved Adur District Local Plan policy ACS5.

4. Planning Policy

4.1. The adopted Development Plan for the area comprises the Adur District Local Plan (1993-2006).

4.2. The Adur District Local Plan 1993-2006 was adopted in 1996, following a Public Inquiry. It is ‘saved’ until adoption of the Core Strategy for the Adur Local Development Framework (LDF). The relevant policy to this appeal is ACS5 which was submitted with the appeal questionnaire. It supports new or improved community facilities within the District and states that “Development which would involve the loss of an existing community facility will not be permitted.”

5. Material Considerations

5.1. The main consideration in the determination of this appeal is the loss of the community facility on the site, in the form of the youth services hut, and its impact on the wider community.

5.2. The youth hut is an old timber building fronting West Lane. It has stood on the site since World War 2 but, while there may be concerns at the suitability of the existing building, there is doubt as to whether the need for a community use on the site is no longer required. The appellants have referred to groups being relocated elsewhere but there appears to be an unmet demand for a community building in this location as evidenced by the letters of representation and the submission from the Parish Council.

5.3. The Parish Council has been collating evidence of local demand which they have sent to the Planning Inspectorate. A considerable number of letters (344) plus a petition with 380 signatures is testimony to the strength of local feeling about the need for a community building in this location. Local newspaper reports attached as Appendix 1 also indicate local support for a community use on the appeal site. If the existing building is considered to be in need of replacement, a new building could be provided as part of any residential redevelopment, particularly as the illustrative layout plans show two distinct areas of development. As such, the residential dwellings could be limited to the western side of the site with the easternmost part reserved for community use. This would help to achieve a more sustainable, mixed use development and would provide new residents with a means to integrate into the local community.

5.4. The local planning authority asserts that the appellants have failed to satisfactorily demonstrate that the existing community facility is no longer required to serve the local community in conflict with Policy ACS5 of the Adur District Local Plan. It has been demonstrated through the work of Lancing Parish Council and others, however, that there is sufficient interest locally in the retention of the hut, or a replacement building on the same site, to cast doubt on the appellant's assertions that there is adequate community provision elsewhere in the locality. The dismissal of the appeal is therefore justified.

6. Conclusion

6.1. The Inspector is respectfully requested to dismiss the appeal for the reasons referred to in this statement. However, without prejudice to the Council's case, if the appeal is allowed the Council requests that the conditions attached as Appendix 2 be imposed.

6.2. In the event that the appeal is allowed, the appellants have entered into a Unilateral Undertaking to secure 30% affordable housing within the development and to pay contributions towards sustainable transport improvements and fire and rescue services in the locality.