Development Control – Delegated Officer Report

Application Number: ADC/0407/10 Recommendation – REFUSE

Site: 411 Brighton Road, Lancing BN15 8JX

Proposal: Demolition of chalet bungalow and erection of pair of semi-detached three-bedroom chalet bungalows

The Application

The proposal relates to a 'backland' site to the east of The Broadway shopping parade from which it is separated by a garage compound at the rear of the Marina Court flats. There is a detached bungalow (No.409) on the west side of the gated 2.7m wide access way (concrete with central grassed strip) to the site. On the east side is a pair of semi-detached houses, the nearest one (No.413) used as a guesthouse.

The existing prewar chalet bungalow (9m by 7m), situated on the northwest part of the site and facing south, is to be demolished. It would be replaced by a pair of semi-detached chalet bungalows (overall 14.8m wide and 6.7m deep) facing east.

Consultations and Representations

West Sussex County Council: Objects on grounds that:-

- The increased use of the existing access to the public highway would add to the hazards of highway users to an unacceptable degree.
- The site cannot accommodate adequate facilities to enable vehicles to both park and turn on site in order to enter and exit the site in a forward gear. The potential increase in use of the access, and reversing movements onto the highway, would add to the hazards of road users to an unacceptable degree.

Comments that, from a site inspection, the access drive width is insufficient for vehicles to pass each other. This could potentially give rise to a highway safety issue as vehicles attempting to access the site would obstruct the free flow of traffic on the A259 whilst waiting for vehicles to exit the site. WSCC would also raise concerns regarding the proposed turning arrangements within the site. From the submitted plans it does not appear that there is sufficient room within the site for parked vehicles to turn and exit in a forward gear. Vehicles would therefore be required to reverse down the access drive to the A259, and this would potentially be of detriment to highway safety.

Environment Agency: Objects on grounds that the submitted Flood Risk Assessment (FRA) does not provide a suitable basis for assessment of the flood risks and does not comply with the requirements of PPS25 in that it fails to consider the effect of a range of flooding events including extreme events on people and property; take into account climate change in line with table B1 and Annex B of PPS25; propose suitable mitigation to protect the development from the design flooding event (1 in 200 year, plus climate change); show how safe access/egress will be achieved in line with table 13.1 of 'Flood Risk Assessment Guidance for New Development FD2320'; and consider the requirement for emergency flood warning and evacuation as advised in para G12 of PPS25 and para 7.23 of the associated Practice Guidance.

Lancing Parish Council: Object on grounds of overdevelopment with insufficient garden space and access/parking issues.

Third Parties: An email of objection has been received from the resident of No.16 Orient Road on grounds that the upper storey of the proposed dwellings would overlook his rear garden and cause great loss of privacy, and increased noise could result from the position of the new rear gardens.

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SCT1, SCT5, SP3, CC6, H1-2, H5, BE1-2
Adur District Local Plan (1996): AG1, AH2, AH5 and Appendix 11 Supplementary Planning Guidance comprising Development Control Standard No.2 “Space Around New Dwellings and Flats”
‘Good Practice Guidance Note: Internal Space Standards for New Homes’ (ADC 2010)
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003, amended 2010)
PPS1 ‘Delivering Sustainable Development’ (ODPM 2005)
PPS3 ‘Housing’ (DCLG 2006, amended 2010)
PPS25 ‘Planning and Flood Risk’ (ODPM 2006) and Practice Guidance and Circular 04/07

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 Local Plan policies. There is no objection in principle to such development within the built-up area and, in order to meet the housing requirements of the approved South East Plan and Local Plan, a significant proportion of housing development by way of development or redevelopment of ‘unidentified’ infill sites is necessary.

The South East Plan (the rescindment of which has been overturned by a recent High Court judgement) sets out the long term spatial planning framework for the region with the aim of achieving more sustainable development, protecting the environment and combating climate change. Policy SCT1 gives priority to pro-actively pursuing sustainable economic growth and regeneration of the Sussex Coast whilst also protecting and enhancing its high environmental quality, its cultural and historic assets and promoting excellence in design of new developments in recognition of their importance to economic success and quality of life.

Policy SP3 seeks to achieve at least 60% of all new developments on previously developed land and through conversions of existing buildings. Developments in urban areas, including infill, should be well designed and consistent with the principles of urban renaissance and sustainable development. Policy CC6 requires development to respect, and where appropriate enhance, the character and distinctiveness of settlements and landscapes throughout the region, and to use innovative design processes to create a high quality built environment which promotes a sense of place.

SCT5 & H1 set housing targets for the Sussex coast sub-regional area and Adur for 2006-2026. These targets are to be met by focusing development in existing towns,

by optimising the use of previously developed land. H5 aims to raise the quality, adaptability and sustainability of new housing and at higher densities (overall regional target 40 dwellings per hectare). T4 states that Local Development Documents should apply guidance on parking standards for housing in line with PPS3, reflecting local circumstances, and ensure sufficient and secure cycle parking for new flats and houses. BE1, entitled management for an urban renaissance, states that opportunities will be taken to improve the built environment, including by promoting design solutions relevant to their context and building upon local character and by supporting opportunities for appropriate higher density and mixed use development schemes. BE2 states that Local Development Frameworks should identify areas where suburban intensification could assist wider planning objectives subject to providing clear planning and design guidance based on local character appraisal.

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 guidance in PPS1 states *"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."*

PPS3 encourages best use of urban land for housing development, without rigid application of parking and amenity space standards. However, it also seeks to improve the quality and attractiveness of residential areas and urges imaginative designs and layouts which make more efficient and sustainable use of land without compromising the quality of the environment. PPS3 also states that Councils should "*facilitate good design by identifying the distinctive features that define the character of a particular local area…….. ...Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric……successful intensification need not mean high rise development or low quality accommodation with inappropriate space……..The density of existing development should not dictate that of new housing by stifling change or requiring a replication of existing style of 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."*

PPS3 was amended in June 2010 to remove garden land from the definition of previously developed land and the indicative minimum density for development of 30 dwellings per hectare was also deleted.

Density, Character and Visual Amenity

The proposed pair of houses would be at a density of 56dph. The character of this area is generally low-medium density, except where there are flats. The density of the existing dwelling on this site (including the access way) is 28 dwellings per hectare (dph). The pair of houses and the bungalow on the frontage are at 25dph.

However, the terraced houses at Widewater Close to the east are at a much higher density of over 90dph.

In terms of their appearance, whilst the proposed dwellings would be somewhat cramped on the site, because of their location they would not have a detrimental effect on the streetscene or the general environment of the area.

Residential amenity – for proposed dwellings

The existing dwelling is situated in the north-west corner of the site with all its garden to the south and east. The proposed pair of dwellings would be sited in the centre of the site with rear gardens only 4m deep and 8.5m wide (34sqm area)

This compares with the Council's adopted minimum standard of 85sqm for a three-bedroom semi-detached dwelling. This is clearly grossly deficient and considered to be unacceptable.

Internally, the proposed dwellings have a gross internal floor area of 83sqm. This is below the Council's Good Practice guidance minimum of 93sqm. The deficiency is in respect of sleeping space which is only 21sqm as compared to the minimum of 31sqm. 2 of the bedrooms are too narrow and one of these is awkward shape. This is a further indication that the development would provide deficient living conditions for the occupiers.

Residential amenity – effect on existing dwellings

It is not considered that the neighbouring properties would be affected to an unacceptable degree. The distance between the side of the proposed southernmost dwelling and the bungalow on the frontage (No.409 Brighton Road) is 13m as compared to the minimum standard of 14m.

To the north west, the nearest bungalow (No.12 Orient Road) is 19m away, at an oblique angle, and there is a more acute angle to the bungalow at No.14 and the end-of-terrace house No.16 Orient Road. These properties have garages at the ends of their rear gardens and are separated from the site by a rear access track.

To the direct west is only a garage compound and to the direct east, the extended rear garden area of the house on the frontage (No.413 Brighton Road); there would be some overlooking of this area but given its distance from the house and the high boundary fence/trellis with climber, refusal would not be warranted for this reason.

Access and parking

The access drive is very long (28m) but only 2.7m wide. It may be adequate to serve the existing single dwelling but its use by 2 dwellings is likely to give rise to conflict of use by the 2 households concerned and this would lead to detriment to highway safety. This is particularly so given that there is no on-site turning area as such and vehicles would have difficulty turning if there are other cars parked. There is a potential for vehicles to have to reverse out in many instances.
Under the new WSCC parking residential standards, 4 parking spaces are required, one of which should be unallocated (for visitors). 3 spaces are shown on the plan which may be considered adequate in number (if not in layout) given the relatively sustainable location on a bus route with a frequent service during the daytime.

Flood Risk

The site lies within Flood Zone 3B of the Adur and Worthing Strategic Flood Risk Assessment and is very low lying (only approx 2mAOD) as compared to a habitable floor level height and safe access/egress route height of at least 5mAOD normally required by the Environment Agency (EA).

The applicants submitted Flood Risk Assessment (FRA) clearly does not provide a suitable basis for assessment of the flood risks and does not comply with the requirements of PPS25. As stated by the EA, it fails to consider the effect of a range of flooding events including extreme events on people and property; take into account climate change in line with table B1 and Annex B of PPS25; propose suitable mitigation to protect the development from the design flooding event (1 in 200 year, plus climate change); show how safe access/egress will be achieved in line with table 13.1 of 'Flood Risk Assessment Guidance for New Development FD2320'; and consider the requirement for emergency flood warning and evacuation as advised in para G12 of PPS25 and para 7.23 of the associated Practice Guidance.

Recommendation

REFUSE on grounds that:-

1. The site is of inadequate size to be able to provide the proposed 2 dwellings with sufficient rear garden space and adequate space for both parking and turning of vehicles. Consequently, the proposal would be overdevelopment of the site, with a deficient standard of residential amenity and poor living conditions for the occupants, also likely to cause detriment to highway safety, and is contrary to policy AH2 of the ADLP.
2. The increase in use of the access and potential reversing movements onto the highway would add to the hazards of road users to an unacceptable degree. The site cannot accommodate adequate facilities to enable vehicles to both park and turn on site in order to enter and exit the site in a forward gear.
3. The site is at risk of flooding being within flood zone 3B and the submitted Flood Risk Assessment does not comply with the requirements of PPS25 in that it fails to consider the effect of a range of flooding events including extreme events on people and property; take into account climate change; propose suitable mitigation to protect the development from the 1 in 200 year (plus climate change) flood event; show how safe access/egress will be achieved; and consider the requirement for emergency flood warning and evacuation.

Case Officer: Keith Morgan Date: 24 December 2010