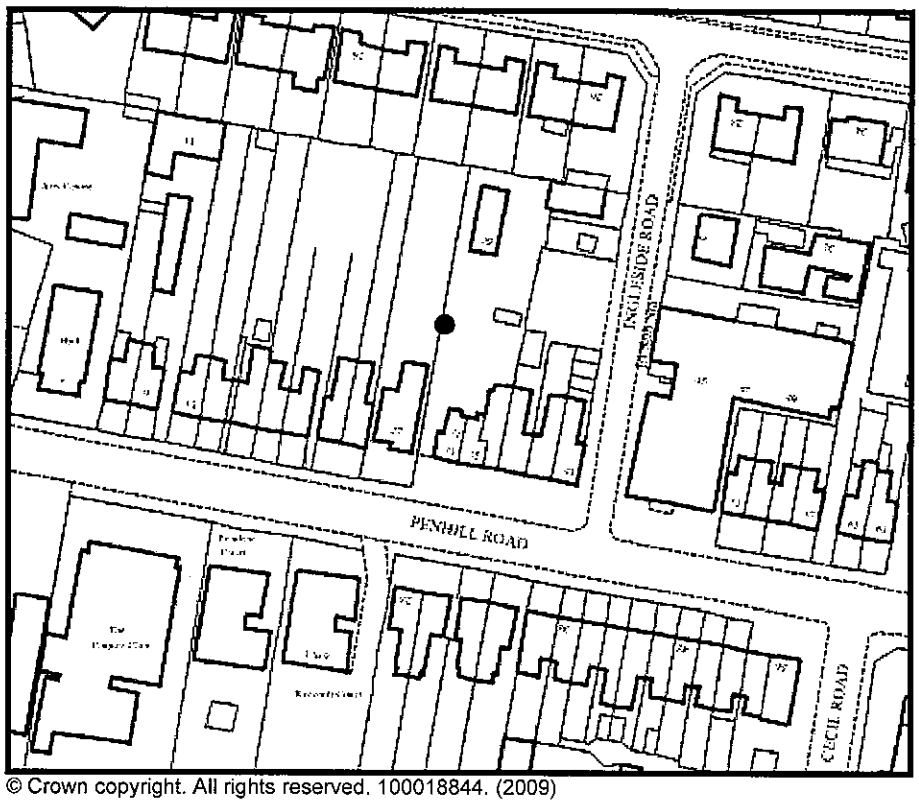
Application Number: ADC/0219/09 Recommendation – APPROVE

Site: **27/29 Penhill Road, Lancing BN15 8HA**

Proposal: **Demolition of bungalow and redevelopment of site to provide 5 no. two-bedroom terraced houses at rear and 1 no. one-bedroom flat and 1 no. two-bedroom flat in new two-storey building at front**



© Crown copyright. All rights reserved. 100018844. (2009)

The Application

The application site lies on the north side of Penhill Road and consists of a detached bungalow (no.27) fronting Penhill Road with a vehicular access on its east side leading to a former builder's yard (No.29) at the rear (25m wide by 39m long), with the overall site area being 0.13 hectare. The yard contains a large amount of building materials and debris plus several storage sheds. There are several trees within and around the edge of the site, including a row of conifers on the eastern side boundary.

The site is within a mixed use area with a row of terraced two-storey Victorian houses to the west, a terrace of two-storey commercial properties to the east and houses and three-storey flats on the opposite side of Penhill Road to the south (Ryecroft Court and Pendene Court). At the rear (north), the site backs onto bungalows in Ingleside Crescent while to the east of the yard there is a mix of commercial uses, the greater part being an open parking/storage area for cars (associated with the garage on the opposite side of Ingleside Road), a Southern Water pumping station and small storage buildings.

It is proposed to clear the whole site, demolishing the bungalow, and to redevelop it with 7 residential units. These would comprise 5 two-bedroom terraced houses on the eastern side of the rear yard and 2 flats in a detached two-storey building fronting Penhill Road.

The access is to be widened to 4.5m and parking spaces are to be provided on the western side of the rear part of the site, adjacent to the side boundary of the rear garden of the end terrace house (No.25 Penhill Road). Communal bicycle storage would be at the rear of the car parking area and a communal refuse and recycling store midway along the west side (with separate provision for the flats and southern end house). A waste collection point is proposed adjacent to the side of No.31, close to the access.

Consultations and Representations

West Sussex County Council: No objection, subject to a section 106 Obligation requiring a sustainable transport contribution of £4,758 and conditions requiring covered secure cycle parking provision and pedestrian visibility splays at the access. Comments that the site is sustainably located close to the centre of Lancing and to public transport routes, enabling less reliance on car travel. The proposal would not intensify use of the access as compared to the lawful use of the site. The vehicular visibility splays of 2m by 43m are adequate and, although on-street parking encroaches within them, having regard to advice in Manual for Streets, no requirement for parking restrictions to be imposed is suggested. With regard to the normal requirement for 2m by 2m pedestrian splays with no walls over 0.6m high within them, agrees the height can be relaxed to 1m in this case owing to the lack of control over the eastern side. The proposed access roadway is acceptable and car parking provision is also acceptable being within the maximum standard. Suggests that cycle parking, rather than being within a communal store at the rear, would be better within each property.

Adur District Council: The Environmental Health Officer states that the site has previously been used for potentially contaminative uses and recommends a condition requiring a desktop study to be carried out by the applicants to identify any contaminants. A noise assessment of the impact of the existing business uses on the proposed dwellings should also be carried out.

The comments of the Council's Waste Strategy Manager are awaited. On preliminary consultation stated that as the reversing of the refuse and recycling collection vehicles into the access road must be avoided (owing to HSE guidance), the waste storage facility needs to be located near the site entrance so the collection vehicles can stop in Penhill Road.

Southern Water: No comments.

Lancing Parish Council: To be reported.

Third Parties: 7 letters have been received from the residents of No's 14, 18, 20, 22, 24 & 26 Ingleside Crescent, No.25 Penhill Road and a joint letter from No.11 Ryecroft Court and No.3 Pendene Court . They object on the following grounds:-

- Overdevelopment, cramming too much onto a small space
- Inadequate parking provision will lead to increased congestion on the street and increased risk to highway safety
- Loss of privacy and light to bungalows Ingleside Crescent
- Loss of trees and wildlife

- Height and proximity of nearest house to bungalows in Ingleside Crescent will be overbearing to existing residents
- Increased traffic, pollution, noise and disturbance
- Widening of access will lead to loss of on-street parking
- Replacement of bungalow with a three-storey building is overdevelopment
- Design of new buildings is out of keeping with the area
- Overlooking and loss of light to neighbouring house at No.25 Penhill Road
- All parking and refuse will be against boundary fence with the rear garden of No.25 and close to the rear of the bungalows in Ingleside Crescent causing noise and pollution
- Loss of security to rear of No.25
- Unsuitable site for residential development

[NB. the residents of No.25 Penhill Road and No's 24 & 26 Ingleside Crescent request to speak at the Committee meeting]

Relevant Planning Policies and Guidance

The South East Plan 2006-2026 (GOSE 2009): SCT1, SCT5, SP3, CC6, H1-2, H5, BE1-2
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996): AG1, AH2 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New Dwellings and Flats'
PPS1 'Delivering Sustainable Development (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)
PPS23 'Planning and Pollution Control' (ODPM 2004)

Planning Assessment

Policies

The site is located within the built-up area of Lancing and is not identified for any particular use or development in the Local Plan. There is no policy specifically protecting the use of the site for business purposes although there are general policies encouraging mixed use development. In this instance, the re-use of the site as a builders' yard has the potential to be unneighbourly because it directly adjoins dwellings to the west and north. Consequently, it is considered that there is no objection in principle to redevelopment for wholly residential purposes. Residential infilling and redevelopment is needed in order to meet the housing requirements of the approved South East Plan and Local Plan.

The South East Plan 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 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.

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. 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, particularly affordable housing and a mixture of types to create a balanced community, at higher densities (avoiding developments at less than 30 dwellings per hectare) and 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."

Density, character and appearance

The development of 7 dwellings on this site equates to approximately 50 dwellings per hectare and therefore exceeds the minimum density of 30dph as set out in PPS3 and the South East Plan target of 40dph average.

The architect states that the proposed buildings have been designed to reflect the former 'industrial' past of the site and that they have their own character, given the mixed architectural appearance of Penhill Road with no particular emerging local character to follow, and are neither historic nor 'modern' in concept. The windows in particular are a very distinctive feature, having curved arches above and containing glazing bars reflecting the style of warehouse fenestration. The architect emphasises the importance of good quality materials.

The propose terrace of houses within the former yard creates a 'mews' type development and, by designing first-floor windows as partial dormers and keeping the eaves line low, the overall ridge height is relatively low at 6.6m. Fire walls and chimneys at roof level help to divide the properties and define the individual units as well as providing interesting design features. The houses are proposed to be finished with Sussex stock bricks with a slate roof.

At the rear, the only first-floor windows serve a stairwell in order to avoid overlooking the land to the east and causing possible sterilisation of its future residential development (fronting Ingleside Road). As seen from Ingleside Road to the east, the site will become exposed following the proposed removal of the line of conifers on the eastern boundary. However, the rear of the proposed houses would have an acceptable appearance in the streetscene, being set back some 21m from the pavement.

The proposed new building (2 flats) fronting Penhill Road has a similar design approach to the proposed houses but with a full two-storey height, plus a room in the roof. The ridge line is higher than the terraced houses to the west but lower than the commercial units to the east. Each flat has a recessed terrace/balcony on the front south-east corner. The flats are accessed from the side with the upper flat utilising a stairwell set within a narrow two-storey extension at the rear of the building. The ground-floor flat has one bedroom only with the upper flat having a second bedroom within the roof space, the stairwell to which is within a small rear dormer.

The elevational treatment of this proposed front building differs markedly from the adjoining terraced houses and commercial units. However, Penhill Road contains a wide variety of building types with no uniformity of design. Consequently, as the overall scale and form of the building is generally in keeping with the adjoining buildings, it is considered that it will not be unduly out of place in the streetscene. It would be a visual improvement over the existing bungalow.

The widened vehicular access would lead to a central access way running in front of the proposed new terrace with parking spaces on its opposite (west) side. It is considered that the overall layout makes good use of the site and provides reasonable space around the buildings to avoid a cramped or overdeveloped appearance.

Residential amenity – effect on existing dwellings

The proposed new building fronting Penhill Road projects beyond the rear of the adjoining house, No.25, by almost 2m at its nearest point to the boundary with the stairwell

extension a further 3m back. However, the stairwell projection is some 3.5m from the boundary and a 45 degree line measured from the nearest groundfloor window of No.25 demonstrates that there would be no adverse loss of light or outlook for the occupiers of that house. The only side windows facing No.25 are to be obscure-glazed bathroom windows. There are no windows at the side of No.25. Rear-facing bedroom windows will enable oblique views over the garden of No.25 in much the same way as those of the existing adjoining terraced house to the west of No.25, albeit from the bedrooms of a flat not a house. On balance, it is not considered that the impact would be so harmful as to warrant refusal of the application on this ground.

The main windows in the east side of the flats serve a kitchen but these will face over the access road and to the blank side wall of the adjacent commercial property.

At the rear, the proposed terrace of houses has its main windows facing west towards the side boundary with the rear garden of the terraced house at No.25 Penhill Road, at a distance of 11.5m. There will be no direct views towards the rear of the house itself at No.25, the nearest window in the proposed houses being some 16m away at an oblique angle. The Council's DC standard for where principal rear windows directly face each other is 22m but that is not the situation here because of the angle. A distance of 11.5m to the rear garden is considered to be acceptable and it is not considered that potential overlooking would be so harmful as to warrant refusal.
The location of the car parking spaces on the boundary with No.25 is also not considered to have a detrimental effect as they are to be screened by a 1.8m high wall and fence and the level of traffic activity associated with 7 units is not expected to be significant when compared with the potential activity associated with the established use as a builders' yard.

The blank north side gable of the proposed terrace, 3m from the north boundary, would be14m from the rear of the nearest bungalows in Ingleside Crescent (No's 22 and 24), which exactly accords with the Council's DC minimum standard. This end gable wall is 7.2m wide and 6.6m high to ridge level and, while it is south of these bungalows, it is not considered to be so wide, tall or close as to result in unacceptable loss of light or outlook.

From the firstfloor rear windows of the commercial units at No's 31-35 Penhill Road to the south, there is also a distance of 14m, but from the groundfloor windows only 7m. However, as they are commercial units at ground floor, this distance is considered to be acceptable. The firstfloor projection at the rear of No.39 Penhill Road is blank and therefore a 7m separation is also considered to be acceptable as no loss of outlook, light or privacy will occur.

Residential amenity – proposed dwellings

There are no internal space standards for new houses (the floor areas in this case being 67sqm) but the Council's DC Standard No.2 does contain external space standards. In this respect, it is the small gardens of the proposed houses that are the main concern. The houses have no front gardens and they directly abut the access roadway. The rear gardens have a depth of only 6.5m as compared to the 11m minimum standard but it is the areas that are, in practice, the main consideration. The houses at either end have the benefit of wider plots thus achieving garden areas of 83sm and 92sqm which are ample. However, the 3 mid-terrace houses have gardens ranging from only 38sqm to 41sqm which are below the Council's minimum standard of 50sqm. However, it is not considered, on balance, that they would have such a poor standard of amenity as to be unacceptable.

As regards the flats, the groundfloor flat has an internal floor area of 45sqm and the upper flat (on two levels) an area of 65sqm. There are no standards for new flats but they meet or exceed the Council's standards for flat conversions (45sqm and 57sqm respectively). Externally, both flats have more than the required 20sqm of amenity space.

Access and parking

The site is in a relatively sustainable location, being fairly close to facilities in central Lancing and to public transport links. For this reason, and taking account of PPS3/PPG13, the local highway authority has no objection to the level of parking provision shown on the plans (8 car spaces) subject to the provision of sufficient secure cycle spaces and a section 106 Obligation requiring a sustainable transport contribution of £4,758.

Under the adopted West Sussex Parking Standard, a *maximum* of 13 car parking spaces would be required (comprising 3 for the flats and 10 for the houses). However, in sustainable locations such as this, the PPG advises that developers should not be required to provide more than they consider necessary unless there are highway safety issues, which is not considered by WSCC to be the case in the present instance. Secure, covered bicycle storage is also to be provided on site in a communal building at the northern end of the site. WSCC suggest separate provision within each plot but this would be impractical for the mid-terrace houses.

The widening of the access is also acceptable to WSCC subject to condition 5 below and they raise no objection to the proposal on highway safety grounds. The loss of on street parking associated with the access widening is not considered to be significant while the level of traffic movement generated by the development is expected to be relatively low. Large vehicles would not be able to turn within the site and would either have to reverse or stop in Penhill Road. So far as refuse collection is concerned, a temporary collection point for the day of collection is proposed close to the site entrance.

Recommendation

A. Subject to completion by 7 September 2009 of a satisfactory section106 Obligation undertaking to pay £4,758 towards sustainable transport improvements in the area, APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2) and The South East Plan (SCT1, SCT5, H1-2, H5, T4, BE1-2).

Subject to:-

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls/fences to be approved and implemented)
3. C8Biv (Parking spaces, access facilities and cycle storage related to dwellings to be constructed and retained) (amended)
4. C9Ai (Pavement crossing details for widened access)
5. C9F (Pedestrian visibility splays) (amended)
6. C9N (Temporary provision for contractors' vehicles, materials, etc on the site)

7. C12Aii (Schedule and samples of external materials for walls and roofs of buildings to be approved)
8. C18B (Removal of PD rights for extensions or curtilage buildings over 5 cubic metres)
9. C18E3 (No windows to be formed in the side walls of the houses without planning permission)
10. C18Rii (Investigation and remediation of contamination)

B. In the event that a satisfactory section106 Obligation is not completed by 7 September 2009 (the date that the statutory period for determining the application expires), that authority be delegated to the Executive head of Planning, Regeneration & Wellbeing to refuse the application on the grounds that it does not comply with the Revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area

.....