Application Number: ADC/0690/07 **Recommendation – APPROVE**

Site: **124 Upper Shoreham Road, Shoreham-by-Sea BN43 6TD**

Proposal: **Demolition of chalet bungalow and erection of block of 11 flats (9 two-bed and 2 one-bed) with 16 parking spaces served by new access (outline with layout and access details)**

The Application

The application site is situated on the north side of Upper Shoreham Road towards its eastern end, close to the Holmbush roundabout. It currently consists of a large detached chalet bungalow set back within a large landscaped plot. To the west, is another chalet bungalow with the former BP petrol station beyond (now a car sales centre). To the east is a further detached chalet bungalow with two-storey semi-detached houses beyond. The building line is irregular. To the rear are the rear gardens of detached houses fronting Rosemary Drive.

The site measures 30 metres by 46 metres (0.14 hectares)

The application seeks outline permission but with details of layout and means of access included. Indicative elevations have been provided.

It is a revised proposal following the refusal of a previous application (ADC/0387/07) for two blocks of flats (26 flats in total) on a larger plot that included No.126 Old Shoreham Road to the west. That application was refused on the grounds of:-

- being out of character with the locality and an overdevelopment of the site,
- being detrimental to highway safety,
- not containing the necessary proportion of affordable housing,
- not providing the necessary sustainable transport contribution, and
- not achieving efficient environmental performance as required by the Core Strategy (since withdrawn).

The present application as submitted was to erect a block of 12 flats but it has now been amended to 11 flats. The block is shown to be 'H'-shaped in floorplan, being a maximum of 18.8 metres in width and 22 metres in depth. It is shown on the indicative drawings to be two storeys high plus one flat within the main roof (south-facing), 8m in overall ridge height.

The existing access would be closed and a single new access formed on the west side of the frontage to serve 16 parking spaces (2 of which will be disabled spaces). These parking spaces would be along the western side and

rear of the proposed block. Grassed amenity areas are shown at the front and rear.

There is an existing bus stop and shelter fronting the site which would be moved into the site to aid the sight lines for the new access. Bin storage is shown located alongside the new bus shelter.

Consultations and Representations

County Transport Planning Services: Recommend refusal on grounds of inadequate visibility unless further information is supplied, including a revised or supplementary Stage 1 Safety Audit and designer's response based on a 7-day automatic traffic speed survey to ascertain the 85th percentile speeds (to demonstrate that the easterly sight line can be reduced from the unachievable 120 metres normally required on a 40mph road). No objection to the parking provision but the number of cycle spaces is inadequate and further details of the bus shelter are required by condition. A contribution of £15,520 to sustainable transport through a section 106 Obligation is required.

County Planning Services: The Infrastructure Officer states that Shoreham library would not be able to cater adequately for the additional demands of the new residents and it is necessary for the development to contribute towards additional library (£1,245) and fire service (£139) facilities under policy DEV3 and the adopted.

Environment Agency: No objection subject to conditions requiring submission of a scheme for surface water drainage and the investigation and reporting to the LPA of any visibly contaminated material found during development.

Director of Services: The ***EHO*** has no objections but recommends that the bin store is sited away from ground floor windows and a condition imposed requiring a full ground contamination investigation as previous historical activities in the vicinity (at the former petrol station to the west) may have caused contamination. The ***Waste Operations Manager*** states that the bin storage location adjacent to the main carriageway is acceptable provided an access path is set into the grass verge to enable wheeled bins to be manoeuvred.

Third Parties: 15 letters/e-mails of objection have been received from the residents of No's 113, 115, 116, 123, 125, 127, 131, 135 Upper Shoreham Road; 12 & 14 Bergamot Crescent; 20, 22 & 28 Rosemary Drive; and 7 Thyme Close on the following grounds:-

- Out of character with the surrounding area in design, construction materials and scale, and not in keeping with the local environment.
- Overlooking, loss of privacy, daylight and sunlight to surrounding residential properties
- Noise, fumes and light pollution from vehicles using the side and rear parking areas at all hours

- Highway safety due to poor sight lines close to the Holmbush roundabout and more vehicular movements onto a very busy road where the 40 mph speed limit is often exceeded
- The bus stop next to the main access point will cause a loss of sight lines for vehicles exiting the site as well as additional pedestrian safety concerns to those crossing the main road to catch busses
- An uncontrolled pedestrian crossing yards from the entrance is often used by children and old persons who will be endangered by greater traffic volumes
- Parking onsite is insufficient to meet the demand of the new flats and will cause overspill onto the main road and lay-by opposite causing further highway safety concerns, an occurrence that already occurs as a result of limited parking at the car sales showroom to the west
- This application will set a precedent for more flats in an area where there are currently none
- Loss of mature trees and habitats in a pleasant area that is currently very green in nature
- Construction dirt and dust disturbance
- Loss of property value
- Other developments sites at Ropetackle and Southlands hospital are better suited to cater for housing needs.

[NB. The residents of No.135 Upper Shoreham Road request to speak at the Committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, CH1, NE1, ERA1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AG3, AB25-27, AH2, AH5, and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.2 'Space around New Dwellings and Flats'
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
'The Provision of Service Infrastructure related to New Development in West Sussex – Part 1' (WSCC 1999)
Design Bulletin 'Trees and Landscaping' (ADC 1996)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)
PPG23 'Planning and Pollution Control' (ODPM 2005)
PPG24 'Planning and Noise' (DoE 1994)

Planning Assessment

Policies

The site lies within the built up area (but remains within the outdated boundary of the Area of Outstanding Natural Beauty designated in 1966). It is not

identified for any particular use or development in the Local Plan. In principle, the proposed redevelopment for more intensive residential purposes accords with both Structure and Local Plan policies. In order to meet the housing requirements of the Structure Plan, it is necessary that a significant proportion of new residential development takes place by way of 'unidentified' small infill and redevelopment sites such as this.

The above policies encourage redevelopment and infilling to help meet the demand for dwellings suitable for small families, single persons, the elderly, and to make best use of urban land. This is encompassed in Structure Plan policy LOC1 but it is on the proviso that 'the impact on the character of the area and the environment, resources and assets of the County is acceptable" and also in allocating sites in Local Plans, that account should be taken of 'the need to protect and enhance the qualities and characteristics of settlements which local communities value"

Policy DEV1, entitled high quality development, states that development should not be permitted unless the construction, layout, scale, appearance and landscaping are of high quality taking into account the need to, amongst other things, integrate with and where possible enhance adjoining land uses and minimise conflicts between land uses and activities; have regard to context including site characteristics, townscape/streetscape views into and out of the site and building styles/materials; give high priority to pedestrians and reduce dominance of cars; create a high quality socially-inclusive adaptable environment; protect and enhance biodiversity; ensure energy efficiency; and meet the needs of service providers.

Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met; it achieves safe and convenient access by choice of means of travel; it encourages and enables an increase in walking and cycling; and the number and impact of motorised journeys is minimised. DEV5 states that 'Development should not be permitted unless the level of parking is compatible with the need to avoid environmental or safety problems and the need is to encourage walking, cycling and the use of passenger transport where this is or can be a realistic alternative.

The relevant Local Plan policy AH2, related to housing development by way of infilling and redevelopment, expects development to be designed so that its appearance, character and scale create a pleasant place in which to live, is in keeping with and enhances the existing local environment with particular attention to the architectural form, height, materials, density and layout; respect for the natural features of the site, including trees, no unneighbourly effect on existing dwellings by loss of privacy, light, outlook or open amenity space; adequate access and parking arrangements and accordance with adopted standards (in this case the Council's DC Standard No. 2 'Space Around New Dwellings and Flats'). Policy AH5 states that there will be a presumption in favour of dwelling units that are suitable for smaller households but that regard should be had to the desirability of a mix of dwelling sizes and types.

Government policy guidance in 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. 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 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."

Visual amenity – density, character and appearance

The existing chalet bungalow sits towards the rear of a large plot partly screened from Upper Shoreham Road by tall vegetation and boundary walls. The existing site has a density of only 8 dwellings per hectare (dph) which is far less than that of the surrounding area (26dph). The proposal, as amended, would raise the density of the site to 80dph which is well in excess of the minimum 30dph prescribed in PPS3 but similar to many other developments of flats.

The proposed building has been reduced in size since its original submission. As amended, the building would now be set approximately 2.5m (rather than 4.5m) forward of the dwelling to the east and 6m (rather than 8m) in front of that to the west. With a proposed 10m set back from the front boundary, the proposed building would not appear excessively close to the road. Also, being 2 metres from the east side boundary and 9m from the west side boundary, it is not considered that it would appear cramped on the plot.

The indicative roof form has been adjusted and one of the two flats removed from the roofspace so that the proposal is now for 11 flats in a lower building 8 metres in height (instead of 9.1m).

It is considered that overall these alterations have made for a more acceptable proposal, the amended plans showing that 11 flats can be

accommodated on the site without significant detriment to the character or appearance of the locality. Although the building would still sit forward of its immediate neighbours, the difference would not be so pronounced as with the semi-detached houses to the east (No's 116 & 118) and can allow for the implementation of sufficient front landscaping to soften its appearance. Although the building is shown 18.8 metres in width, this is comparable to the bungalow it will replace (16.5 metres in width) and is not considered unacceptably out of scale.

Residential amenity – standard of proposed accommodation

The space around new dwellings and flats is an important factor in the creation of a pleasant residential environment, contributing to the character, identity and appearance of an area. It is also important to ensure adequate privacy and daylight to individual homes. The revised indicative floor plans show that each two-bedroom flat would have a floorspace of approximately 60 square metres each and the 2 one-bedroom flats a floorspace of approximately 40 square metres. Although there are no internal space standards for new developments, by comparison the Council's DC Standard for flat conversions states a minimum overall area of 57 square metres for 2-bedroom flats and 45 square metres for 1-bedroom flats. Although the 1-bedroom flats are below the recommended standard, should it be deemed necessary they could be changed at the reserved matters stage. The Council's Environmental Health section have raised no objection to the indicative floorplans.

The revised layout shows two areas of amenity space, the bulk of which fronts the building. The Council's DC Standard No.2 for space around new flats requires a minimum of 20 square metres of amenity space per flat which in this instance would be 220 square metres. The layouts show a total provision of 242 square metres of usable amenity space of which 154 square metres is at the front of the building and 88 square metres to the rear.

All the flats would have an acceptable outlook and access to light, with the 2-bedroom units facing south and north with no obstruction. The 1-bedroon units will face east and west in the central segment of the building, again with no clear obstruction.

Residential amenity – effect on existing dwellings

The Council's DC Standard No.2 requires a distance of at least 22 metres between facing principal windows. The rear elevation of the proposed building is set at 14.5 metres from the rear boundary and an acceptable 26 metres from the rear elevations of the houses in Rosemary Drive. The rear section of the building is not shown to contain any rooms in the roofspace and is indicated to be at a height of 8 metres. It is not considered that the building would have an overbearing impact on, or afford a detrimental amount of overlooking to, the houses in Rosemary Drive.

To the west, the building would have a separation of 9 metres to the boundary with tall border trees obscuring any views across to No.126. To the east the building would sit 2 metres from the boundary and 4 metres from the side elevation of No.120. This property is a chalet bungalow set forward in its plot with a rear garage on the shared boundary. Despite its proximity, the proposed building will not encroach beyond the 45 degree 'rule of thumb' angle of view from the windows at No.120 and is subsequently not considered to be overbearing on this property.

The west side and rear car parking bays were considered potentially detrimental to the rear gardens of the surrounding properties by reason of their proximity to the boundary fences and their potential for noise disturbance. The revised plans have incorporated a 1 metre wide area of landscaping on the northern boundary and 0.5 metres on the western boundary to counteract this issue. The refuse sheds and bin collection areas have been re-sited onto the eastern boundary but, subject to their design, it is not considered that there need be any significant detriment to No.120.

Trees

The submitted Design and Access statement states that the trees currently on site are to be retained. The majority are sited on the boundaries of the site including a large specimen on the front eastern boundary. A condition needs to be imposed requiring a full landscaping plan including the retention of trees and supplementation where necessary.

Access and parking

The existing access point on the eastern front of the site is to be blocked up and a new access installed at the western end of the frontage. This access is indicated to be 4.1 metres in width on the revised plans and is to serve 16 parking spaces (of which 2 will be disabled). WSCC are not satisfied that the sightline towards the Holmbush roundabout to the east meets normal requirements for a 40mph road and they are also concerned about the possible inaccuracy of the dimensions on the plans of the proposed right turn markings into the site central to the carriageway. They have sought a further 7-day traffic survey to determine the 85th percentile speed data and ascertain whether the eastern sight line can safely be reduced, plus a supplementary safety audit and designer's response. Unless these are received and prove acceptable, WSCC recommend that this application be refused on highway grounds.

The revised parking layout for 16 vehicles to serve 11 flats is deemed acceptable to adequately cater for demand but the cycle storage facility for 16 bicycles would need to be increased to 20 spaces to meet the standard.

A contribution towards sustainable transport improvements in the area of £15,520 through a Section 106 Obligation (in accordance with the adopted Revised West Sussex Parking Standards & Transport Contributions Methodology) is required.

Recommendation

A. Subject, by 14 February 2008 (the date that the statutory period for determining the application expires), to WSCC Transport Planning Services withdrawing their objection as a result of the applicant submitting satisfactory additional information (including a Stage 1 Safety Audit with designer's response and any amended plans) and to completion of a satisfactory Section 106 Obligation undertaking to pay £15,520 to sustainable transport improvements in the area, APPROVE for reason that:- +£1,245 to library services

The proposed development is within the built-up area and would help to meet the need for additional housing without detracting from the local environment. It can take place without resulting in unacceptable detriment to the amenities of nearby properties and without detraction form highway safety. It would subsequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AG3, AB25-27, AH2, AH5) and the West Sussex Structure Plan (LOC1, NE1, CH1, ERA1, DEV1, DEV4-5)

Subject to:-

1. C1A (Outline condition reserving details of scale, external appearance and landscaping) (amended)
2. C1B (Standard outline time limit)
3. C7Ci (Details of walls and fencing to be approved and implemented)
4. C8Bi (Parking spaces and access facilities to be constructed and retained)
5. C9Ai (Pavement crossing details)
6. C9Ei (Technical details of access to be approved and sight lines, etc provided and retained) (amended)
7. C9F (Visibility splays for access to be approved and retained) (amended)
8. C9Kii (Existing access to be closed prior to occupation of building)
9. C9N (Temporary provision for contractors' vehicles, materials etc on the site)
10. C9O (New access to be completed before other construction work undertaken) (amended)
11. C9S (Temporary wheel cleaning facility during construction work)
12. C11Ai (Landscaping scheme including existing trees to be approved and implemented and replacement of those that die)
13. C12Ai (External materials for walls and roof of building to be approved)
14. C14Aii (Permission relates to application as amended by letter and plans received on 3 January 2008)
15. C14Gii (Provision of lighting for communal areas)
16. C14H (Existing building to be demolished prior to development)
17. C18K (Provision for waste storage)
18. C18N (Details of drainage to be approved and implemented)
19. C18Ri (Ground contamination investigation) (amended)

20. Prior to occupation of the proposed flats, the existing bus shelter shall have been relocated in accordance with details to be submitted to and approved in writing by the LPA.

B. In the event that, by 14 February 2008, WSCC Transport Planning Services have not withdrawn their objection as a result of the applicant submitting satisfactory additional information (including a Stage 1 Safety Audit with designer's response and any amended plans) and a satisfactory Section 106 Obligation undertaking to pay £15,520 to sustainable transport improvements in the area has not been completed by 14 February 2008, that authority be delegated to the Planning Services Manager to refuse the application on the grounds that it is detrimental to highway safety and does not comply with Structure Plan policies DEV3-5 and the Revised West Sussex Parking Standards and Transport Methodology requiring improvements to sustainable transport in the area.