Development Control – Delegated Officer Report

Application Number: AWDM/0178/12 **Recommendation – Refuse**

Site: **Queens Parade North Road Lancing West Sussex**

Proposal: **Additional storey above existing 2-storey block (with dormers and gables within new roof) to provide 6 no. self contained flats (1 x 1 bed, 5 x 2 bed) with rear staircase block to north side and access walkway, alterations to existing elevation treatment, storage for 18 cycles and provision of rear amenity areas for existing flats**

Date of site visit: 17 Dec 2012 and 23 Jan 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site (0.37 hectares in area) comprises of a 2-storey, mixed-use building (Queens Parade) occupying the corner on the west side of North Road, and north of the junction with Culver Road, located within the designated shopping and business centre of Lancing town centre. The building dates from the mid-1960s and consists of retail units on the ground-floor, including a larger supermarket unit at the north end, as well as smaller retail units wrapping round the corner into Culver Road. There are residential flats on the first-floor. The building is made up of 2-storey flat-roofed elements fronting North Road and Culver Road, stepping down in scale at the rear to single-storey.

There is a service yard at the rear which is enclosed on the north side by the larger supermarket unit which extends the full depth of the plot. The yard is accessed from the south from Culver Road by a concrete vehicular drive and narrow footpath positioned on either side of the British Legion Club. The yard is used by the supermarket for deliveries via a large loading bay in the south side of this unit. There are 10 garages located in 2 rows of 5 located to the west and south of the yard. The flats are accessed from Culver Road by an internal stairwell leading onto a communal open deck at the rear, and also by a single set of external steps leading onto the deck from the rear yard.

A projecting concrete canopy horizontally separates the ground and first-floor elements of the building fronting North Road, and wraps round into Culver Road. At the northern end of the building the first-floor extends over the canopy, which is supported by concrete columns. This element is taller in height (10.4m) than the rest of the building (7.3m high) possibly owing to the taller floor-to-ceiling height within the supermarket unit. As a consequence the flats above the supermarket are elevated in relation to the other residential flats so that the first-floor windows do not line-through.

The external materials primarily consist of pale yellow brickwork with rendered and tile-hung panels fronting North Road; the main exception being the first-floor element above the supermarket, which is finished in dark brown brick fronting North Road. The first-floor windows consist of a mix of metal and uPVC frames of various designs, some being vertically proportioned and others having a strong horizontal emphasis.

To the north is an access drive leading to the Council-owned recreation ground, WC's and playground. Beyond is a modern three-storey building consisting of offices (Adur DC local area office) with flats above (No.101-103 North Road). Opposite in North Road is a modern terrace of 2-storey houses. To the south the site wraps around the British Legion Club, a 2-storey hipped-roof building which has been extended incrementally by a variety of unsympathetic additions. Adjoining the vehicle access to the west is 10 Culver Road, a s/d dwelling house.

Permission is sought for the addition of a second-floor to the southern part of the perimeter block fronting North Road to provide 5 x 2-bedroom flats and 1 x 1-bedroom flat. The additional floor would be 65m long and a maximum 14m deep partially wrapping around the corner into Culver Road. It would abut the south side of the existing higher element above supermarket and would have a part pitched/part flat-roof. On the North Road frontage the pitched slope would incorporate a series of twin gable features (11m high) projecting above the new eaves, interspersed with pairs of flat-roofed dormers. The corner would be defined by a hip with 2 more modest gable features (9.2m high) incorporated on the Culver Road frontage. The new flats would be accessed by extending the existing common stairwell from Culver Road into the new roof and onto a new open access deck at the rear. The drawings show alterations to the external materials and finishes of the existing frontage elements to consist of a mixed finish of facing brick, painted render and fibre cement weatherboarding.

The application is accompanied by a Design and Access Statement.

Relevant site history

Planning permission was refused in April 2010 under ADC/0023/10 for an additional storey above existing 2-storey block of shops and flats to form 8 self-contained flats (4 x 1-bedroom and 4 x 2-bedroom) on the following grounds:-

1. *The proposal would constitute an over-intensive use of the site, resulting in an unsatisfactory standard of accommodation and a lack of amenity space for future residents to the detriment of the environment of the locality contrary to the policies of the Adur District Local Plan (AG1, AH2).*
2. *The proposed treatment of the extension at the corner of north road and Culver Road, by reason of its design, use of external materials and prominence in the streetscene would detract from the visual amenities of the locality contrary to the policies of the Adur District Local Plan (AG1, AH2).*

Consultations

West Sussex County Council: No highways objection is raised. The following comments are made:-

"West Sussex County Council was consulted previously on Highway Matters for this location under planning application ADC/23/10 to form 8 self contained flats to which no objections were raised. The application was however refused due to overdevelopment of the site.

In highway terms, there would be no objection to this proposal. The proposed dwellings will have a nil car parking provision. It is noted that no parking is provided for the existing retail and residential units. The WSCC parking demand calculator anticipates that a development of this size in this location would create the demand for an addition four vehicular parking spaces. Car parking in the immediate vicinity does appear to be limited, and there is a public car park in close vicinity with season tickets available at cost and it is reasonable to assume that this may be used by residents. There is no evidence to suggest that the lack of parking associated with this proposal would result in any detriment to highway safety, consequently an objection on the grounds of a nil parking provision would be difficult to justify. The Planning Authority may wish to consider the implications of this proposal upon on-street parking.

The site is located in a sustainable location, and does offer the realistic opportunity to travel on foot, cycle or via passenger transport. It would be beneficial if cycle parking provision could be provided within the site. We would advise that if a communal storage area is deemed appropriate it be large enough to store one cycle per two dwelling units. I would ask this provision be secured via condition.

The following contributions are sought:-

Summary of Contributions:Total TAD Contribution due £4,900
Total Access (commercial only) 0.0000
Number of fire hydrants TBC
Net Parking Spaces 0
Net Commercial Floor Space sqm 0

The above contributions are required pursuant to s106 of the Town and Country Planning Act 1990 to mitigate the impacts of the subject proposal in terms of demand on Highways and Sustainable Transport that would arise in relation to the proposed development. Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the National Planning Policy Framework 2012 . All TAD (Total Access Demand) contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003. The calculations have been derived on the basis of an increase in 6 Net dwellings Further to the monetary contributions the County Fire Officer advises that the proposed development may need to include the provision of a fire hydrant connected to adequate supplies of water for fire fighting (Contact: David

Boarer – Fire Services 01243 813667) It should also include suitable access for fire brigade vehicles and equipment.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators.

Deed of Planning Obligations

- *As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.*
- *The deed would provide for payment of the financial contribution upon commencement of the development.*
- *In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2013.*
- *Review of the contribution towards the provision of Transport and Sustainable Infrastructure should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review. Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions. Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, parking spaces, nature or tenure, may generate a different contribution requirement and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the altered figures are known and not be left until signing of the section 106 Agreement is imminent. It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need. Should you require further information in relation to the calculation of the contributions, please see below:*

TAD- Total Access Demand

The methodology is based on total access to and from a development. An ***Infrastructure Contribution*** *is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The* ***Sustainable Transport Contribution*** *is required in respect of each occupant or employee not provided with a parking space which would be likely to rely on sustainable transport.* ***TAD = Infrastructure contribution + Sustainable Transport contribution***

Infrastructure Contribution

Contributions for Infrastructure are determined by the net increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle- Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2012/2013 is £1,000 per parking space. ***Infrastructure contributions*** *= Car parking spaces x Cost multiplier.*

Sustainable Transport Contribution
This is derived from the net car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£500).

Sustainable transport contr. *= (net car parking – occupancy) x 500*
Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

Adur & Worthing Councils: The Contaminated Land Officer recommends a condition relating to the possibility of contamination. The EHO (Environmental Protection) has no adverse comments.

The Waste Strategy Manager confirms that the existing flats at this location are serviced by 2 x 1100L bins, commenting that this is just about the minimum provision you would expect for this area and about 400-500L less than ideal. There is no recycling provision. The main problem is that more bins cannot be physically accommodated as there are commercial waste bins and large numbers of parked cars in the yard all the time. Some are workers for the shops and some are residents vehicles. Currently there is a weekly service provided by a trade refuse truck that has to back in and swing round by the Co-op loading bay. This is a significant distance for the bins to have to be pulled from the storage to service point. He comments that he would not want to add to the number of bins without significant improvements to both storage provision and an improvement in the road surface.

Lancing Parish Council: Comments as follows:- *"Committee was split on this matter. Whilst Members acknowledged that a housing strategy existed, some members saw the proposal as a preferred use of space rather that using green field areas whilst others were against the principal of any further housing in Lancing without new infrastructure. Committee agreed that there changes did improve the street scene and by the narrowest of margins Committee voted to accept the proposal."*

Representations

Six representation have been received from 3, 15, 19 Queens Parade, 103 North Road (Flat 3), Queensway Café, 9 Culver Road raising the following concerns (which have been summarised):-

- The internal layout of the existing flats is shown incorrectly on the submitted drawings; it's not clear whether this is a possible intended future layout and the existing tenants would be evicted.

- The application makes no reference to details of the existing skylight above the bathroom at No.15. This would be blocked by an additional floor, depriving the bathroom of all natural daylight and ventilation.
- The existing external steps and first-floor access deck are in a very poor condition with unsteady railings and loose floor tiles and lack of lighting creating a safety hazard for residents. The area adjacent to the stairs is often used for dumping rubbish and is a fire hazard. The internal stairwell is not properly maintained, it is not secure and is a focus of anti-social behaviour by young people who gain access and congregate on the stairs using it as a toilet. The external path is unlit and dangerous.
- There is limited space for parking and vehicles are often blocked-in by delivery lorries to Coop.
- The car park is regularly flooded owing to collapsed drains caused by the amount and weight of delivery vehicles.
- Emergency vehicles would have a problem gaining access to the flats from the car park owing to congestion with parked vehicles and rubbish.
- On-street parking is controlled by wardens and there is nowhere else to parking without paying. Even if a permit were obtained to park on North Road, there are only 8 spaces and 3 disabled spaces.
- The existing flats are poorly maintained by the landlord and are in poor condition. The roof leaks, there is no cavity wall insulation, roof and gutters are made of asbestos. The flats are damp in the walls, floors and ceilings, typically with storage heaters being the only form of heating. Electrical circuit boards are old and untested. It is unfair to allow additional dwellings when the existing flats are not properly maintained. With no maintenance plan for the existing flats, there is no confidence that the new properties would not also fall into disrepair to the detriment of the wider area.
- It is doubted whether in structural terms an additional floor is feasible without extensive work to the existing building.
- There is a great sense of community amongst the existing residents who have no option of moving out owing to lack of affordable rented accommodation that will accept children and pets. Existing residents are at risk from being made homeless.
- There would be only one access route for new residents, which appears unsafe.
- Light and privacy to 103 North Road would be adversely affected.
- The proposal is not in-keeping with the Lancing Vision document.
- The additional storey will not be in-keeping with the existing architecture of the street.
- Additional parking demand will lead to further congestion in this area where provision is already limited.
- Additional residential accommodation in the town centre will unduly constrain the development of a night-time economy and economic growth of the commercial sector.
- This will lead to more traffic and noise in Culver Road affecting the amenity of residents.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AS1, AH2, AH5 and 'Supplementary Planning Guidance' comprising:
Development Control Standard 2 'Space Around New Dwellings and Flats'
Good Practice Guidance Note 'Internal Space Standards' (2010)
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
South East Plan (GOSE 2009): SCT1, SCT5, SP3, CC6, H1-2, H5, BE1
National Planning Policy Framework (CLG 2012)
Lancing Village Vision (2012)

Planning Assessment

Principle

There has been a change in the national and local planning policy framework since the earlier refusal (ADC/0023/10 refers), following the introduction of the NPPF and Lancing Vision.

The NPPF urges local planning authorities to recognise that residential development can play an important role in ensuring the vitality of centres and to set out policies which encourage residential development on appropriate sites. It also reasserts the importance attached to good design, stating that decisions should aim to ensure that developments (amongst other things):-

- will function well and add to the overall quality of the area…..
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- respond to local character and history, and reflect the identity of local surroundings and materials…..
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;
- a visually attractive as a result of good architecture and appropriate landscaping (paragraph 58).

It states that: "*Permission should be refused for development of poor design that fails to take opportunities available for improving that character and quality of an area and the way it functions."* (paragraph 64).

The site is located within the 'village heart' within the Lancing Vision which seeks to focus activity in this part of the town in order to create a vibrant and thriving town centre, rich in activity. The proposed residential development above the ground-floor would not conflict within this approach.

The site is within the designated shopping area of lancing town centre subject to saved policy AS1. There is no objection in principle to development within areas subject to this policy providing there is no loss of residential accommodation on upper floor level, there is no loss of amenity to nearby residents, the scale and design, including construction materials, is appropriate to the locality and on-site parking and access arrangements are acceptable. Saved policy AH2 allows for new residential development by way

of infilling or redevelopment within the built-up area subject to it being designed so that its appearance, character and scale creates a pleasant place to live, in-keeping with, and enhancing the existing local environment; it does not have an unneighbourly impact on existing dwellings; it incorporates adequate standards of residential amenity for future occupiers and subject to satisfactory access and parking arrangements being provided. Policy AH5 sets out a presumption in favour of smaller households.

Visual amenity

The existing building has no architectural merit. Its appearance within the streetscene is dominated by the heavy projecting canopy which visually divorces the ground-floor uses from the residential accommodation above. The upper floor is articulated solely by the fenestration pattern and materials. The integrity of its original appearance has been undermined by the introduction of mis-matched replacement uPVC windows and poor maintenance of the tile-hung and rendered panels. The rear of the building is wholly utilitarian in appearance as might be expected at the rear of a mixed use commercial premises, but provides an unattractive and poor quality residential environment.

Although there are other 3-storey buildings in the vicinity, the addition of a second floor would result in a substantially larger scale building having a dramatic impact on the streetscene. The quality of the design is considered poor with the part pitched, part flat roof form repeating the simple austerity of design of the existing rear elevation. At the front, whilst the vertical form of the rendered twin gable features would break up the existing horizontal emphasis, they would appear as dominant and ungainly features projecting above the new eaves line. The comparatively smaller-scale, hipped treatment of the corner appears weak in comparison. The new roof would extend only part way along the existing Culver Road frontage, resulting in a disjointed appearance where the new section of roof slope meets the existing flat roof parapet. The elevations are poorly detailed and it appears only minimal refurbishment of the existing elevations is intended.

Residential amenity – living conditions of future occupiers

The proposal provides for 5 x 2-bedroom and 1 x 1-bedroom flats accessed from an extension to the existing internal communal stairwell (from Culver Road). The Council's 'Good Practice Guidance Note: internal Space Standards for New Homes' sets relevant standards with regards to minimum internal flat and room sizes, storage and amenity space. It states that 1-bedroom flats should be a minimum 51sqm with 22sqm of living/cooking/eating space and a 12sqm bedroom. Two bedroom flats should be 66sqm with 24sqm of living/cooking/sleeping area and 19sqm of bedroom space (12sqm double and 7sqm single). Even though some of the proposed floor area would be within sloping 'skeiling', all but 1 no. 2-bedroom flat would meet the internal minimum floor area. The other unit (F) would be 4 sqm below the minimum standard. The proposed 1-bedroom flat (C) is 1 sqm below the minimum standard.

The new flats would be served by an open communal walkway passing directly in front of windows serving living/kitchen/dining areas resulting in limited privacy for the occupiers.

DC Standard No.2 states that a minimum of 20 sqm of external amenity space per flat should be provided. This could be in the form of a communal area or private balconies/roof terraces. Unlike the existing flats which have a small area of private roof terrace, no communal or private amenity space would be available to serve the proposed new flats.

External areas also need to provide space for refuse storage. An additional Eurobin is shown within the rear yard. Unlike the existing flats, there would be no direct access to the rear yard. The only access route would be via the communal stairs and along either the narrow pathway to the east side of the British Legion, or the vehicle access drive (although access for pedestrians via the latter is made difficult by flooding apparently caused by damaged drains). Access to the refuse storage is considered poor and the Council's Waste Strategy manager has identified the existing provision as less than ideal. There is no re-cycling provision available to existing residents. The existing yard is in constant use by delivery vehicles serving the supermarket (with loading/unloading cages stored in the open) and is heavily congested with parked vehicles and by existing bins (serving both the residential and commercial units). The bins have to be pulled a significant distance from storage to service point. The Council's Waste Service Manager is not satisfied that additional provision could be satisfactorily accommodated without significant improvements to the storage provision and improvements to the surface of the access drive. Residents have also expressed concerns about the adequacy of existing arrangements including concerns about vermin. Increased pressure arising from additional households would only exacerbate the existing situation, with the lack of adequate storage capacity compounded in this case by the lack of safe and convenient access to the rear yard for the new residents.

Two areas of cycle storage are shown, one within the lobby area of the communal stairs and the other within a purpose-built store formed as a narrow protrusion to the rear of the new second floor. This would require residents to carry cycles up 2 flights of stairs and is far from ideal. It appears there is no capacity within the rear yard for cycle storage.

[The submitted drawing shows stairs leading down to the first-floor within the purpose-built cycle store, but this appears to be an error as a private flat (19) is located directly below on the first-floor.]

Residential Amenity – *Effect on existing residents*

The living environment of existing residents is poor. The existing building has been poorly maintained and has a run-down appearance. The rear access deck has broken tiling and the internal stairwell is poorly kept and left insecure owing to vandalism. Nonetheless, existing residents refer to there being a strong sense of community, and the access deck has been sub-divided in fenced-off sections to provide each flat with an small area of external amenity space used for drying clothes and sitting out. These areas are not private as other residents have to pass directly in front in order to access their flats, but

they at least provide an element of amenity space and some separation distance between the communal walkway and the nearest windows (serving kitchens and bedrooms).

The introduction of the open common walkway to serve the new flats would introduce an additional source of overlooking of the existing amenity areas from above.

There is a difference in levels on the first-floor with steps adjacent to No.19 leading up to the flats above the Coop supermarket. The rear element of Flat 19 protrudes beyond the rear of No.21 by approximately 6-7m but is not overbearing owing to the lower level of No.19 (and consequently its lower roof height). The proposed new floor would be built directly above No.19 and owing to its height (4.9m above the deck level of No.21) and depth would have an oppressive and overbearing effect on the outlook from the nearest windows of No.21 (not shown correctly on the submitted plan) and would overshadow the roof terrace, detracting from its existing enjoyment.

The bulk of the additional storey which aligns with the footprint of the first-floor flats would not directly affect the receipt of daylight to the windows of flats directly below (No.11 -19) but would increase the extent of overshadowing of the small amenity areas.

The additional floor would block a rooflight serving a bathroom at No.15 (and possibly others). It is currently the only source of ventilation and daylight to the bathroom, but how this will be resolved has not been addressed by the application submission.

It is not possible to comment on internal stacking arrangements as the layout of the existing firs-floor flats shown on the submitted drawing is incorrect.

Accessibility and parking

No parking is proposed to serve the proposed flats. There are 10 garages located within the existing yard. As originally built, each of the existing flats probably had access to a garage, but it is not known whether this remains to be the case, or whether the garages are let out separately. The limited areas available within the open yard are parked-up with cars belonging to residents and occupiers/employees of the commercial ground-floor units. There is no scope to provide additional parking provision. The WSCC Parking Demand calculator anticipates the proposed development would generate an additional demand for 4 parking spaces. On-street parking in nearby roads is subject to parking controls, which are enforced. No objection has been raised by the Highway Authority on highway safety grounds having regard to the sustainable location of the site, within walking distance of a wide range of shops and other facilities and with good access to public transport.

Conclusion

It is considered the current application has failed to satisfactorily address the previous reasons for refusal in as much that the proposal constitutes an over intensive use of the site, providing a poor standard of accommodation and

environment for future occupiers and would have an detrimental effect on the living conditions of existing residents.

As a composition, the proposal is ill-proportioned with poor quality detailing and lacks overall integrity of design. In streetscene terms it would appear as a prominent and unsympathetic addition which fails to achieve the high quality of design sought by the NPPF or provide the uplift in appearance as envisaged in the Lancing Vision.

Recommendation

REFUSE for the reason(s):-

1. The proposal would constitute an over intensive use of the site and would provide an unacceptably poor standard of residential accommodation for future occupiers lacking any external amenity space provision and with poor means of access and inadequate facilities for the storage of refuse/waste. By reason of its size and 'bulk' the proposed second floor would detract from the residential amenities of existing residents, with the intensification of development on this constrained site likely to lead to a worsening of the existing poor residential environment. The proposed development is therefore contrary to saved policies AG1, AH2 and AS1 of the Adur District Local Plan.

2. The proposed development, by reason of its scale, massing, architectural composition and poor quality design would appear as a prominent and unsympathetic addition to the streetscene which would be poorly related in visual terms to the existing building and would detract from the visual amenities of the locality. The proposed development is therefore contrary to saved policies AG1, AH2 of the Adur District Local Plan, policies CC1, CC6 and BE1 of the South East Plan and would not provide the uplift in the appearance of the existing townscape sought by the Lancing Village Vision (2012).

3. No evidence has been provided that the necessary contribution would be made to improvements to sustainable transport to help offset the effects of the travel and associated infrastructure demands generated by the proposed development as required by the West Sussex Revised Parking Standards and Transport Contributions Methodology.

<u>Informative</u>

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to letter(s) of representation? No

Case Officer: Jo Morin Date: 25.01.13

Authorised by: Gary Peck Date: 28 January 2013