P & R 30/7/07

7

**Application Number: ADC/0371/07 Recommendation – APPROVE**

**Site:** **Public Car Park, Ship Street, Shoreham-by-Sea**

**Proposal:** **4 three/four-bedroom townhouses (two storeys with additional accommodation in roofspace) with each property having separate rear access and car parking space (ADC Regulation 4 outline application with layout, scale and access details)**

**The Application**

This application follows the resolution of the Council's Policy & Strategy Committee on 5 December 2006, in line with the Shoreham Renaissance strategy, to make a planning application for the residential development of this site and to discontinue its use as a public car park. This was dependent upon the provision of replacement parking at Pond Road, a matter now in course of being implemented following the planning permission granted in June 2007 (ADC/0236/07).

The existing public car park provides 17 pay and display spaces, with access by means of a dropped kerb across the whole of the site frontage. The maximum depth of the site is 23 metres and the maximum width is 20 metres (0.05 hectare).

The site is bounded to the rear (west) and south side by a 1.8 metre high wall, within this wall are two gates giving pedestrian access to the rear gardens of No.14 Ship Street to the south and No.14 West Street to the west. No.14 Ship Street is a two-storey end of terrace house which abuts the southern boundary of the site and the back of the pavement. To the rear of the site are the rear gardens of houses at No's 12, 14 and 16 West Street which are grade II listed buildings. To the north of the site are the White Lion Court flats, separated from the application site by a vehicular access way leading to a covered parking area to the rear of the flats. On the boundary there is a dwarf brick wall.

The application, submitted by the Council prior to sale of the site, seeks outline permission for 4 terraced houses, including approval of the layout, scale and access details. The houses are shown at the front of the site, adjoining the pavement, the two northernmost houses set 1m further back than the other two. The dwellings are proposed to be two storeys plus rooms in the roof. The layout plan and indicative elevational drawings and floor plans show the entrances to the houses at the rear.

Vehicular access is proposed via the existing access way serving White Lion Court to the north of the site. It is proposed that this existing access would be widened to 4.5 metres with a barrier to prevent access by unauthorised vehicles. The access would lead to the rear of the site where one parking

space is proposed to the rear of each dwelling, off a proposed 6 metre wide access way providing turning space. A seprate pedestrian access is proposed via a gated access to the south of the terrace where there would be a 1m wide gap between the side of No.14 Ship Street and the proposed southernmost house. To the north, a pedestrian access to the rear of the site is also proposed on the south side of the existing vehicular access. A refuse store is proposed to the rear of the site with some planting and landscaping indicated.

**Consultations and Representations**

***County Transport Planning Services:*** To be reported. As pre–application advice commented that the 6 metre wide aisle behind the proposed car parking spaces is the minimum width required to turn a car. The car parking provision is below the recommended standard but considering the limited size of the site and that very few dwellings on Ship Street have any off-street parking provision, the additional spaces would be beneficial in reducing pressure on the existing off street parking. The use of the existing access is supported although it should be widened to 4.5 metres (and it may also be appropriate to extend the existing yellow lines across the site frontage for visibility). Cycle parking and a s.106 TAD contribution would be required.

***Director of Services:*** EHO – To be reported

***Environment Agency:*** To be reported

***County Planning Services:*** The Archaeologist raises no objection subject to archaeological safeguards in the form of a planning condition. The design of the development follows preliminary advice from the Conservation architect.

***Adur District Conservation Advisory Group:*** No objection.

***Third Parties:*** - 24 letters/e-mails (all but 2 objecting) and a 10-signature petition have been received from residents at 2 White Lion Court and No's 11 & 32 Ship Street; No's 5, 11,16 & 17 John Street; No's 5, 9A & 20 West Street; from Providence Baptist Chapel, John Street, and from businesses at No's 31, 64, 70, 72B, 74/76, 80 & 82 High Street, with the remainder from car park users in Shoreham and beyond, making the following comments: -

- Elderly people and those with disabilities find the other car parks too far from the High Street shops.
- There is limited parking in the town centre at present, with Middle Street being too small even at present, and the proposals would make matters worse.
- Increased parking difficulties for local residents and for a wide variety of businesses (including restaurants, shops and offices) and their employees and customers who currently use this car park which is one of the most popular for shoppers (one letter has supplied a survey of its use during the week commencing 29 June).

- There is a serious parking problem in the vicinity of the site, with heavy congestion and parking on waste land.
- Would result in increased parking in High Street and blocking of emergency accesses.
- Would have an adverse impact on businesses and the vitality and community spirit of the town centre.
- New dwellings would result in loss of privacy, loss of light and view.
- This development offers large gains to a small number of people.

The resident of 11 John Street states no objection provided that the building line corresponds with While Lion Court. Community centre car park should be retained, and parking should be free.

The resident of 2 White Lion Court has no objections but raises concern that occupants of four-bedroom houses are likely to have more than one car and she hopes the overflow does not result in their parking spaces being used as they only have 9 spaces for the 18 flats and there is already a problem with unauthorised use. Also, double yellow lines are needed north of their access as larger vehicles have difficulty using the access due to parked cars on-street.

**Relevant Planning Policies and Guidance**

West Sussex Structure Plan 2001-16 (2005): LOC1, CH1, CH4, CH7, NE1-2, ERA1, DEV1, DEV3-5
Adur District Local Plan 1993-2006 (1996): AG1, AB1, AB3-4, AH1-2, AB15, AB25-27, AT6, DP.AT1, AH5, AT12 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.2 "Space Around New Dwellings and Flats"
Adur Development Plan – Submission Core Strategy 2006-26 (ADC 2007): R1, STC1, STC3, H1, H3, T3-4, ENV4, ENV10
'A Strategy for Shoreham Renaissance' (2006)
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)
PPG15 'Planning and the Historic Environment' (DoE 1994)
PPG16 'Archaeology and Planning' (DoE 1990)

**Planning Assessment**

***Policies***

The above policies encourage redevelopment and infilling to help meet the demand for dwellinghouses 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" (para a) 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" (para d).

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 a 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 explanatory text refers to a transport contributions methodology.

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; it does not have an unneighbourly effect on existing dwellings by loss of privacy, light or outlook; it incorporates adequate standards of open amenity space, daylighting, outlook and privacy; plus adequate access and parking arrangements (as required by AT12) and accords with adopted standards (in this case the Council's DC Standard No. 2 'Space Around New Dwellings and Flats' 1996 and the Revised West Sussex Parking Standards and Transport Contributions Methodology 2003).

Government policy guidance in PPS3 encourages best use of urban land for housing development, particularly affordable housing, 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 use of land without compromising the quality of the environment.

The Council has a statutory duty to pay special attention to the need to preserve or enhance the character or appearance of Conservation Areas. The

site is located within the conservation area and within close proximity to listed buildings therefore it is important that the character and appearance of the proposal respects the existing historic environment and local character. Policy AB4 requires development of a high standard of design and construction materials. AB3 states that permission will not be granted for development that would generate a level of traffic flow or other activity likely to affect adversely the character of the conservation area.

Submission Core Strategy policy T4 relates to public car parking. It states that 'as part of the aim of promoting more sustainable transport and to discourage unnecessary car use whilst maintaining the economic vitality of the community, no more car parking will be provided than is necessary to ensure good access to facilities, and no significant negative visual and environmental impacts.

Policy STC3 relates to the objectives of 'Shoreham Renaissance' and is referred to below.

***Shoreham Renaissance***

Shoreham Town Centre has been identified as a key location for regeneration and in 2006, the document 'A Strategy for Shoreham Renaissance' was published with the aim to "regenerate Shoreham town centre as a sustainable community possessing economic, social and environmental diversity". This is set out in policy ST3 of the Adur Development Plan Submitted Core strategy, which states that, amongst other things, key sites for development will be unlocked; improved community facilities in the heart of the town centre will be secured; schemes to reduce through traffic and improve pedestrian and cycle routes into and through the town centre will be encouraged and development will be required to respect conservation areas.

One of main objectives of the movement strategy as set out in Shoreham Renaissance is to prevent 'traffic churn' throughout the town centre by providing a co-ordinated approach to public parking, which in some instances will require the closure of some of the towns smaller car parks (in this instance Ship Street car park) and rationalisation of others.

The Council's Policy and Strategy Committee, on 5 December 2006, resolved that the Ship Street car park site be disposed of for residential redevelopment as set out in Shoreham Renaissance strategy, subject to extra spaces being provided at Pond Road to compensate for the loss (the latter having recently been the subject of application ADC/0236/07).

The land owned by the District and County Councils at Pond Road is identified in the Shoreham Renaissance strategy as the "most significant and highest profile opportunity site in the town". It is proposed for redevelopment to reinforce its critical role as a community hub for the town incorporating the various community uses in new buildings, a landscaped public square, public parking and enabling housing development.

***Principle of Loss of Car Park***

This public car park, as with the other public car parks in the District, is subject policy AT6 of the Local Plan which states that they shall continue in such use during the Local Plan period. However, the loss of this particular existing car park is considered to be acceptable in this case owing to the approval of application ADC/0236/07 (considered at the Planning and Regulatory Committee on 4 June 2007). It proposes the removal of the remaining temporary offices at Pond road and the extension of the public car park to provide 24 extra spaces. This proposal is in line with the Adur Local Plan policy DP.AT1 which states: - 'Land at Pond Road, Shoreham-By-Sea as shown on the proposals Map, is allocated as an extension to the Pond Road Car park....'

The approved extension at Pond Road would compensate for the loss of 17 car parking spaces at the Ship Street car park resulting from the present application, and would also provide a small net increase. The Pond Road car park is further from the High Street than the Ship Street car park but it is still within a reasonable walking distance and should help lessen the amount of 'traffic churn' on the narrow one-way streets, an issue which is sought to be addressed through the Shoreham Renaissance strategy.

***Density and Character of the Conservation Area***

As stated above, this is an outline application and the matters for consideration are layout, scale and access, not external appearance. Nevertheless, indicative elevations and floor plans have been submitted to demonstrate how accommodation of this scale and density could be provided on site. The design follows advice given by the County Conservation architect.

The density of the proposed development is 80 dwellings per hectare which is very similar to that of the adjoining houses to the south. There are other houses in the locality at a higher density.

It is considered that the layout of the proposed block of terraced properties fronting the site combined with their scale, including the proposed depth and width of the buildings is appropriate in this case. In particular, the proposed buildings respect the existing character of the adjacent houses to the south which also abut the street. It is also considered that the spacing between the proposed and adjacent buildings and the setting back of the two northernmost houses is appropriate in the streetscene.

Terraced houses two storeys high with rooms in the roof served by small dormers is considered in keeping with the scale of properties in the locality which are a mixture or two and three storeys with no uniform building height.

It is considered that an appropriate traditional design which would be determined at reserved matters stage, can be provided that would be relate to and preserve and enhance the character and appearance of the conservation area, and the setting of the adjacent listed buildings.

***Access and Parking***

One car parking space per dwelling is proposed to be located to the rear of the terrace with access via the existing access way to the north of the site which serves the White Lion Court flats. The Highways Authority at pre-application stage recommended that this level of car parking and the use of the existing access were acceptable provided that the access was increased to 4.5 metres in width as it now is on the application plans. The formal comments of the Highways Authority are awaited, as is the completion of a Section 106 Obligation for a sustainable transport contribution (provisionally calculated as being £4,940).

***Residential amenity***

The main properties potentially affected by the proposed development are the White Lion Court flats to the north; the house at No.14 Ship Street to the south; and the houses to the rear, No's 12, 14 and 16 West Street.

There would be a distance of 1 metre between the northern side of No.14 Ship Street and the southern side of the proposed houses. There is only one small secondary window on the side elevation of this existing house. The proposed houses would be set back slightly further than No.14 and they would protrude further rearwards by 1.8 metres than No.14. It is considered that this distance is not such as to cause an overbearing effect or loss of daylight, particularly as they are to the north, and the relationship between the buildings is considered acceptable.

To the north, on the southern elevation of White Lion Court, there is a side window at a distance of 5.8 metres from the northern elevation of the proposed end house. There would be some loss of light but not, it is considered, to such a degree as to warrant refusal.

The houses in West Street to the rear are at a minimum distance of 24 metres from the rear of the proposed terraced houses. The Council's Development Control Standards state that there should be a distance of a least 22 metres between rear habitable windows to avoid unacceptable loss of privacy and overlooking. The proposals indicatively show firstfloor rear balconies but it is considered that, at this distance, there would not be an unacceptable impact on the residential amenities of these properties.

Also needing to be considered are the residential amenities of the future occupiers of the proposed dwellings. The indicative floor plans show each dwelling to have 3/4 bedrooms over three levels, so they would clearly be suitable for families with children.

A significant negative factor is that there would be no gardens at front or rear and the only amenity space would be balconies at first floor level (which are shown on the indicative plans). There are paved pathway areas and the hardstanding for parking and turning space at the rear of the proposed

dwellings but this is not amenity space as such. The proposal therefore does not comply with policy AH2 or the Council's Development Control Standard No.2 which states that dwellings of this size should have 65 square metres of external amenity space per dwelling. The alternative (apart from reduction of the number of houses proposed) would be to reduce or omit the proposed parking provision at the rear and replace it with garden space. This would bring the proposals into line with the other houses in the street which have small rear gardens but no on-site parking. On balance, however, contrary to current Government advice, it is considered that the provision of on-site parking is more important in this case because of the very high degree of on-street parking congestion.

Government policy guidance in PPS3 encourages best use of urban land for housing development at higher densities, particularly in sustainable locations, 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 use of land without compromising the quality of the environment.

Taking account of the site being within the town centre and in a highly sustainable location in close proximity to local services and public transport, on balance, it is not felt that refusal is warranted on the ground of lack of external amenity space. It would be a matter of choice for potential purchasers as to whether they have a personal need for external garden space.

***Sustainable and Resource Efficient Buildings***

Policy ENV4 of the Adur Development Plan – Submission Core Strategy states that measures will be required to ensure new buildings achieve efficient environmental performance and to meet the Government's new Code for Sustainable Homes. Policy H3 also required all new homes to be designed to 'Lifetime Homes' standards. Conditions are accordingly recommended below.

**Recommendation**

**A.** Subject to consideration of comments awaited from WSCC Transport Planning Services and to completion by 16 August 2007 of a satisfactory section 106 Obligation undertaking to pay £4,940 to sustainable transport improvements in the area, APPROVE for reason that:-

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. The loss of the car park would be contrary to policy AT6 of the Local Plan but this would be compensated for by enlargement of a nearby public car park. The lack of external amenity space does not accord with one of the requirements of policy AH2 but is considered acceptable in this instance

because of the sustainable town centre location. Apart from this, the proposals would not conflict materially with the relevant policies of the Adur District Local Plan (AG1, AB1, AB3-4, AH1-2, AH5, AT12), the West Sussex Structure Plan (LOC1, NE1-2, CH1, CH4-5, CH7, ERA1, DEV1, DEV4-5) and the Adur Development Plan Submission Core Strategy (R1, STC1, STC3, H1, H3, T3-4, ENV4, ENV10)

Subject to:-

1. C1Ai (Standard outline condition reserving details of external appearance and landscaping for subsequent submission and approval)
2. C1Bi (Standard outline time limit)
3. C7Cii (Details of walls, fences and gates, including the proposed barrier across the access and the infilling of the openings in the rear wall with matching materials) (amended)
4. C8Bii (Parking spaces and access facilities to be constructed and retained)
5. C8Gi (Secure and covered cycle parking provision) (amended)
6. C9Ei (Technical details of access to be approved and sight lines provided and retained)
7. C9N (Temporary provision for contractors vehicles, materials etc on site)
8. C11A3 (Hard and soft landscaping scheme)
9. C12Aii (External materials for walls and roof to be approved)
10. C14Dii (Archaeological investigation to be agreed and carried out at developer's expense)
11. C18K (Provision for waste storage)
12. The proposed houses shall achieve efficient environmental performance by, prior to their occupation, being completed to achieve at least level 3 of the Code for Sustainable Homes in accordance with details submitted to and approved in writing by the LPA.
13. The proposed houses shall, prior to their occupation, be completed to meet the 'Lifetime Homes' standards in accordance with details to be submitted to and approved in writing by the LPA.

14 C9K 15. C18Ri amended

**B.** In the event that a satisfactory section 106 Obligation is not completed by 16 August 2007 (the date that the statutory period for determining the application expires), that the application be refused on grounds that it does not comply with Structure Plan Policies DEV3-5, Submission Core Strategy policy T3 and the Revised West Sussex Parking Standards and Transport Contributions Methodology requiring improvements to sustainable transport in the area.

.....