expiry 31.08.07

Development Control – Delegated Officer Report

Application Number: ADC/0381/07 **Recommendation - Refuse**

Site: **Brethørens Meeting Room East Of First Avenue Lancing West Sussex**

Proposal: **Demolition of Meeting Hall and erection of two 3 bedroom houses and three 2 bedroom houses**

The Application

The application relates to a site formerly used for religious meetings and ancillary parking, located on a backland site 0.08 hectares in size. The site is accessed by a service track from First Avenue which leads out to the A27 (Upper Brighton Road) close to the roundabout junction opposite Manor Park Recreation Ground. The service road primarily gives access to the rear gardens and garages of properties in Eighth Avenue, Orchard Way and Grinstead Lane which back onto it.

The proposal is an outline application for the redevelopment of the site with 5 two-storey houses in two blocks (one block of three 2 bedroom, and a pair of semi-detached 3 bedroom, including a room in the roof and rear dormer) with 7 parking spaces. The Outline application is to consider the siting and means of access only.

The site itself is land locked with no main road frontage. It is bounded on the east, south and west sides by the rear gardens of properties which front Grinstead Lane and Orchard Way. The properties in Grinstead Lane to the east are generally bungalows with a small terrace of earlier style houses (No's 36 – 42) to the SE of the site. Directly to the south of the site in Orchard Way the building type from No's 13 – 17 are bungalows, to the SW there are houses 9 – 12. To the north side of the access track are the houses in Eight Avenue which have longer than average gardens (approx 22 – 27m).

The site has had two previous Planning Applications to develop the site. L/41/06 Outline application for redevelopment with two-storey block of 6 flats (4 two-bedroom and 2 one-bedroom) with parking for service vehicle only, and ADC/0068/07 outline application for redevelopment for 5 houses (2 three-bedroom and 3 two-bedroom) and seven parking spaces.

L/41/06 was refused for the reason that:-

1.The proposal does not include adequate provision on the site for the parking of vehicles in a satisfactory manner to the standard required by the LPA and the proposal would likely to increase the pressure for on-street parking in an

area where insufficient space is available with resultant detriment to highway safety and obstruction of traffic flow.....
2. The proposal does not include adequate provision on site for the turning of vehicles and the site cannot accommodate adequate facilities to ensure that vehicles enter and exit on a forward gear via First Avenue. As such the potential increase in use of the existing sub-standard access with the A27 would add to the hazards of the highway users to an unacceptable degree...
3. Having regard to the limited area of the site and its relationship to existing residential properties, the proposal represents overdevelopment which would be out of keeping with the character and detrimental to, the residential amenities of the locality, resulting in an overbearing effect, particularly to adjacent bungalows in Orchard way...
4. The proposal would set a precedent for other "backland" development which cumulatively would result in a detrimental impact on the residential amenity and environmental character of the locality and would also be likely to result in an increased use of the existing sub-standard access to the public highway which would add unacceptably to the hazards of other highway users...

Application ADC/0068/07 was withdrawn so the access details could be looked at and assessed.

Consultations and Representations

Chief Environmental Health Officer - No objection. Standard demolition letter sent out for the applicants information.

Highways Agency – We would inform you that we do not wish to make any comment on this application.

Environment Agency - Comments remain as per the previous response to this site therefore no objections, in principle, to the proposal as submitted subject to planning conditions regarding: visibly contaminated material on site during development; and the use solely of uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic to be used as infill material.

WSCC Highways - The Highway Authority have been consulted on a similar application under ADC/68/07, to which an objection was raised due to a lack of car parking being proposed.

They are aware that the Highway Agency have requested that no more than 6 car parking spaces are provided for the new units, but it is their consideration that given the type of dwellings proposed (2x3 beds and 3x2 beds), that 6 car parking spaces would prove inadequate for the likely parking demand that would be generated. According to the WSCC maximum Car Parking standards, a maximum of 12 spaces would be permissible. Whilst some account can be taken of the accessibility of the site they would still look for a car parking ratio of 1.5 spaces per unit at the very minimum resulting in a need for at least a further two spaces. There is concern that if sufficient car

parking is not provided then indiscriminate car parking may result along the access road to the site and that additional demand will be placed upon car parking provision on First Avenue, where there is already considerable demand.

Whilst they are aware of the Highway Agency's request to restrict car parking to 6 spaces, consideration would be given to the scheme if the proposals were reduced in size with the 2x3 bed units instead 2 bed units. This would then result in a more favourable reduction in the WSCC Car Parking standard and smaller units should attract lower car ownership.

A TAD Contribution of £6,013 would be required based on the current mix of dwellings and car parking. An objection would be raised due to inadequate car parking provision and the likely detrimental impact that would result.

County Fire Officer - We have been contacted by Adur District Council to consult on Fire and Rescue Access under regulation BS5588 part B. Having reviewed the submitted plans the only remaining concern would be the size of the turning head as the distance from the road is in excess of 20 mtrs. This could be acceptable if the turning radius from the lane into the development were increased to 6mtrs on both sides to allow us to pull past the development and reverse in, to turn and exit back to First Avenue. However it is my understanding that the highways agency has objected to the radius on the A27 side on the grounds that it would like to focus general traffic flow away from the A27. An alternative option would be install domestic sprinklers into each property to allow time to hose lay from the main road. No further hydrants will be required as there is currently a hydrant within a suitable distance from the proposed property development suitable for fire fighting located 130 mtrs away in First Avenue. (Max distance 180mtrs)Access route width for a fire appliance will be satisfactory,

Waste Services Manager - Access to the site will involve 2 x 26 tonne refuse and recycling vehicles needing to enter a service road from First Avenue. The proposed development is located approximately 100 metres down this road. This distance is too great for our vehicles to be expected to reverse. Therefore, it would be necessary for sufficient room to be created on site for them to be able to turn safely. The only other possible alternative, would be for the bins to be brought out on collection day to the First Avenue end of the service road. The problems I can envisage would be the number of them, complaints from the householders adjacent to where they would be left and the likelihood of them being left out all day until the owners return from work to retrieve them.

Lancing Parish Council – ~~No comments received~~ Object

Third Parties - There have been 20 letters of objection to the proposals and a 95 person petition regarding possible parking problems in the surrounding roads of Eighth Avenue, First Avenue, Orchard Avenue and Orchard Way.

The letters of objection raise the following concerns:-

- Maintenance costs of the access road to the site.
- Dorset Lodge car park will be used as a pull-in lay-by increasing traffic nuisance and noise.
- Access road cannot facilitate difficulties of visitor parking, site traffic during construction or the 5-10 cars for the proposals.
- Overlooking of several properties.
- Loss of privacy through increase in traffic and refuse collection.
- Noise, disturbance and smell.
- Inadequate access for Emergency Services and refuse collection.
- Potential flooding and drainage problems.
- Adverse effect on wild life.
- Over development. The site will look overcrowded.
- Diminished enjoyment for neighbouring properties.
- Disproportionate height and concentration of buildings for the surroundings.
- Setting a precedent for backland exploitation.
- Area around First and Eight Avenues including Orchard Way already have parking problems, which will be increased.
- Spoil the character of the surrounding dwellings.
- Security to rear of surrounding properties could be compromised.
- No room for gardens which would endanger children going in and out by vehicles.
- Parking for 2 and 3 bed houses would be impossible on the site.

The owners of No.34 Grinstead Lane have raised concerns that developers are paying little or no attention to the thoughts and feelings of the community. They feel that the parking has been haphazardly allocated with little consideration having been given to the practical realities of living in a small area. The state that the majority of families own two vehicles and that the additional vehicles would be parked in the private lane. The extremely small gardens leave no facilities for children to play. They feel that if the development were to go ahead their living space including recently constructed conservatory would be overlooked by three bedrooms which would be most unsettling.

The owner of 22 Eight Avenue states that the current application does not state the outcome of any investigation taken into whether the roadway access could sustain regular use from a refuse vehicle. They feel that the amendment to the site access which should act as a deterrent for vehicles using the A27 exit direction is inadequate and does not accommodate the Highways Agency's recommendation. They go on to state that the rear roadway which directly accesses the site may become used for additional parking by residents of the development or by visitors with no knowledge of where to park, causing access problems for property owners. They feel the site is limited in size and the proposal represents an over development which would be out of keeping with the character of the surrounding area.

The owner of No.32 Grinstead Lane has objected to the application on the grounds that proposed block of three houses on the east side of the site will be unacceptably close to the chalet bungalow they have outline permission for at the rear of their garden. They feel the 3.8m distance would present an unpleasant and overbearing blank wall to the principal southern aspect of the new dwelling with loss of outlook and light, which would be contrary to planning policy. They feel that there is a complete absence of any reference to the permitted chalet bungalow that adjoins the site, and that 'No other properties' written in the design and access statement would be deliberately intended to mislead. They feel that the density of the proposed development at 65dph is well in excess of the guidelines given by the Council or in the immediate vicinity, which results in a lack of amenity space on some units and constitutes unreasonable development.

The owner of 24 Eighth Avenue has written in and objects to the proposed development on the grounds that refuse collection and emergency vehicle access remains unsolved, and that any additional vehicles used by the new property owners would place further pressure on First Avenue. They go on to mention that the proposals in no way meets the potential increase in use of the existing access to the A27 and would add to the hazards of the highway users to an unacceptable degree. They feel the proposal is an overdevelopment which is out of keeping with the properties in the surrounding area, which will devalue in price due to being overlooked and through loss of privacy. They feel consideration should also be given to the impact on the families who are expected to live in the development, and feel that additional vehicles will park in the 'Private Lane'.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, CH1, NE1-2, ERA1,DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH1-2, AH5, AT12 and Appendix II 'Suplementary Planning Guidance' comprising Development Control Standard No.2 'Space Around New dwellings and Flats' & No.3 'Extensions and Alterations to Dwellings'.
Adur Local Plan – Submission Core Strategy 2006-26(ADC 2007): H1, H2, H3, STC2, T3-4, ENV4, ENV10.
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 203 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 ' Housing' (DCLG 2006)
PPG13 'Transport' (DTLR 2001)

Planning Assessment

The site is located within a residential part of the built-up area of Lancing and the proposal constitutes 'infilling' as provided for in both Structure and Local Plan policies. There is no objection in principle to infill development within the

built-up area and, in order to meet the housing requirements of the approved Structure Plan and Local Plan, a significant proportion of housing development by way of 'unidentified' small infill sites is necessary. The site itself is not allocated for a particular use in the Local Plan proposals map and is considered to be in the category of 'unidentified' small infill sites, which would help meet the need for additional housing within the District.

Structure Plan policies give significant weight to making the best use of land through higher density development provided that the impact on the character of the area and environment is acceptable (LOC1, ERA1, CH1) and subject to policy DEV1 requiring high quality development. Policy DEV4 states (amongst other things) that development should not be permitted unless the travel needs it generates are met. 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".

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 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, 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 PPS3 encourages best use of urban land for housing at higher densities and without rigid application of parking and amenity space standards.

Traffic, access and parking

One of the main concerns with the application is the effect that the five proposed dwellings would have on the access track and surrounding roads in terms of the need for additional parking. The applicant has been in consultation with the Highways Agency since the last application (ADC/0068/07) was withdrawn. The application has been amended since that withdrawal and now shows the east side splay of the access being more acute in angle which would encourage vehicles leaving the site from going towards the north and the junction with the A27. The Highways Agency have not objected to the current application on the grounds that the design has been sufficiently amended to prevent there being an increase in use of the substandard access onto the Brighton Road, even though there are 7 proposed spaces rather than the 6 supported originally. This would suggest that the design has been amended sufficiently to encourage cars exiting the site to use First Avenue.

Whilst it would have an affect on the directional flow of traffic leaving the site it is to be noted that the site currently can comfortably accommodate 14 cars with there being no restriction on which direction the cars leave or on the use of the meeting hall. The Meeting hall when being used did hold meetings on a fairly infrequent basis and the proposed development would increase the usage of the access track on a day-to-day basis.

The application site is not centrally located to Lancing town centre but is a walk of approximately1km to the railway station, 0.7km to the town centre shopping area and approximately 0.2km and 0.5km metres to local bus services to the north and south respectively. WSCC Highways have objected to the inadequate amount of on-site parking and say the maximum standards state 12 spaces would be permissible. With the sustainability of the site taken into consideration Highways still feel the car parking provision should be increased from the seven provided, to eight, to ensure there is sufficient available to prevent indiscriminate car parking on what essentially is a service road from first avenue, and the surrounding roads which are in heavy demand.

An appeal has been allowed on a similar brown-field site in Wembley Gardens Lancing, for 6 one-bedroom flats (L/191/01) which had low parking levels and was at a high density. It was demonstrated that the accessibility of the site and type of tenure of property would result in a low demand for car use and parking. On site turning was made available to enable vehicles to leave the site in a forward gear. Since development there have been complaints made from neighbours that the site is over parked and the turning provision is being used for additional parking spaces.

Whilst 7 parking spaces have been provided for in this application it is considered that the levels of parking in the surrounding area and on the pull-ins and to the rear garages of Eighth Avenue and Orchard Way does mean that on-street parking is in high demand and should not be put under any more pressure than necessary.

Emergency and waste services

The lack of on-site turning for a 26 tonne refuse vehicles would result in the lorry having to reverse down to First Avenue. The acute angle of the north side of the access would mean that the vehicle could not reverse out towards the north of the site and then leave in a forward gear. Direct Services have stated that the 100m to First Avenue would be too far for any refuse of re-cycling vehicle to reverse safely and that the only alternative for waste collection is for the occupants of the proposed houses to carry waste and re-cycling down to the junction with First Avenue on collection day. This would result in 'blue-box' recycling containers most likely staying at the end of the access until the occupants come home from work. Come April 2008 'wheelie bins' are proposed to be introduced throughout the District which would mean a maximum of ten bins occupying the space in and around the junction with First Avenue causing an unacceptable nuisance for the surrounding properties and access to the service road.

West Sussex Fire and Rescue Services feel provided a domestic sprinkler system is installed into each of the proposed dwelling that on-site turning would not be required. The sprinkler system would allow time to lay hoses from the main road. The applicant has agreed to install a domestic sprinkler system.

Over development and density

The terrace of three properties are considered to be of reasonable size in terms of the interior spaces, giving one single and one double bedroom upstairs and adequate downstairs living space. The Councils Development Control Standard No. 2 ' Space Around New Dwellings' (ADC 1996) states that rear gardens of new homes should be a minimum of 11m in depth and facing principal windows between properties and those located to the rear should be 22m to retain adequate privacy, it goes on to state that rear gardens for 2 bedroom terrace houses should be 50 sq m and small 3 bedroom semi-detached properties should have gardens 85 sq m. Whilst the guidance in PPS3 suggests that these amenity standards should not be adhered to rigidly it is still felt that the rear garden spaces proposed for plots No's 1 and 2 are unacceptably small and would result poor amount of outside space for what are considered to be homes for young families.

The Development Control Standard goes on to state that the minimum distance between the side of on two-storey dwelling and the rear of bungalow should be 14m. In the case of the proposed dwellings the bungalows to the south in Orchard Way (No's 13-16) are over this distance and it is felt that there privacy would be retained. The privacy of the properties to the south in Eight Avenue would be unaffected.

Whilst the application deals with siting and means of access solely, indicative drawings have been submitted which give a suggestion of what the appearance of the exterior of the dwellings. Certainly the west side semi-detached houses propose to be three-bedroom, which would require the dwelling to be gable ended with a room in the roof with a rear dormer. The houses are shown to have gable ends 6.4m in height. In the case of the terrace of three houses to the east these design details could be altered, however the two semi-detached houses propose to be three bedrooms with a room in the roof and rear dormer, which it is considered would be possible to fit into the roof space as indicated. The result would be a taller building which would have a particularly overbearing effect on the outlook from the bungalows in Orchard Way (No's 13 & 14). The size of the rear dormer would need to be large to accommodate a room of adequate size, which would result in a top-heavy box like structure contrary to guidance in Development Control Standard No.3.

The proposed development would be at a density of 66 dwellings per hectare (dph) over double the minimum dph as set out in Government Guidance PPS3. This proposed density is somewhat higher than that of the surrounding roads of the locality, which range from 26 dph (Grinstead Lane) to 34 dph (Orchard Way) . Although it is only reasonable to expect any infill development to be of a higher density that the surrounding area, in this

instance inadequate levels of amenity in terms of outside space and on-site parking would result in a development which would be out of character and detrimental to the residential quality of the area.

Residential amenity – overlooking

The property to the east of the proposed terrace of houses (No.34 Grinstaed Lane) has been extended on the north side of the rear elevation with both a rear extension and rear conservatory bringing it to 17.5m from the rear of the proposed houses. The above Dev. Control Standard No.2 states that distances between principal windows which face each other at the rear of properties should be 22m. The rear boundary of No.34 Grinstead Lane is well established with deciduous trees and shrubs, which would screen the presence of the proposed houses to some extent during summer months. However it is felt the presence of a two storey building where previously there was none would have an unacceptably adverse impact on the privacy of the rear conservatory of the property to the east.

Residential amenity – effect on adjacent outline permission

The proposed siting of the three terraced houses would be to the north of where outline permission has been granted for a detached chalet bungalow (ADC/356/06). The outline permission has the property sited with its main outlook to the south 3.0m from the site boundary, 3.8m from the north elevation of the terrace of three houses proposed in this application. Whilst there has been no application for Reserved Matters on the adjacent outline approval, some weight must be given to the orientation of the proposed bungalow and how the terrace of three properties would affect it. Although the property has not yet been built the siting of it has been approved and considering the scale and proximity of the proposed terrace, it is likely that it would have an unneighbourly and unacceptably overbearing effect on any property built in line with the outline approval.

Affect on wild life

The existing site is concreted throughout other than for a high hedge on part of the northern boundary with the access track. These hedges may sustain an amount of wildlife but it is felt the levels and species are unlikely to be so significant that they cannot be accommodated for in the surrounding green spaces and proposed gardens.

Low cost housing

The applicant states that the proposed houses have been designed to provide low cost accommodation which would seek to attract the lower end of the housing market. No further information has been supplied by the applicant to enable the proposed houses to be considered as part of the Councils allocation of affordable housing.

Sustainable and Resource efficient buildings.

Submission Core Strategy Policy ENV4 of the Adur Development Plan states that measures will be required to ensure new buildings achieve efficient environmental performance to meet the Government's new code for Sustainable Homes. Policy H3 also requires that all new homes be designed

to 'Lifetime Homes' standards. A condition could be placed on any approval to ensure that the proposed new houses are able to meet the code for Sustainable Homes and the Lifetime Home standards.

Recommendation

REFUSE for reason that :-

1. 7AR.
   The proposal does not include adequate provision on the site for the parking of vehicles in a satisfactory manner to the standard required by the Local Planning Authority and the proposal would be likely to result in standing vehicles which would interrupt the free flow of traffic on the access track and on the public highway and add to the hazards of highway users, contrary to the policies of the West Sussex Structure Plan (DEV4-5) and the Adur District Local Plan (AT12).

2. H13BR – amended
   The size and shape of the plot and its relationship to existing properties and ~~the outline permission~~ ADC/ 356/06/TP would not ~~permit~~ enable development of a standard compatible with existing development in the area and in consequence the proposal would constitute overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

3. H18R - amended
   Having regard to the limited area of the site and its relationship to existing residential properties, the proposal would give rise to an unneighbourly form of development which would be detrimental to the residential amenities and environment of the locality, resulting in loss of privacy and an overbearing effect on existing dwellings and the proposed dwelling approved under ADC/356/06/TP, conflicting with the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH2).

4. The proposal does not include adequate provision on the site for the turning of a refuse / recycling collection vehicle in a satisfactory manner to the standard required by the Local Planning Authority and the proposal would be likely to lead to conditions detrimental to highway safety and residential amenity contrary to the policies of the West Sussex Structure Plan (DEV4-5, DEV1) and the Adur District Local Plan (AH2, AT12).

Case Officer:
Date: 16.08.07

CS 17.8.07

for Head of Planning & Community: Kathryn
Date: 17-8-07

Chair of the Planning & Regulatory Committee: A. J. Mills.
Date: 20/08/07