Application Number: ADC/0387/07 Recommendation – REFUSE

Site: **124 & 126 Upper Shoreham Road**
Shoreham-by-Sea BN43 6TD

Proposal: **Proposed demolition of 2 chalet bungalows to be replaced by a development of 26 one-bedroom flats (outline application with layout and access details)**

The Application

The site is situated on the northern side of Upper Shoreham Road towards its eastern end, close to the Holmbush roundabout. It currently consists of two detached chalet bungalows. To the west is a former petrol station that is now a car sales centre. To the east is a detached chalet bungalow. To the rear there are a number of detached houses in Rosemary Drive, which have rear gardens backing onto the site.

The site measures approximately 45m by 45m (0.2 hectare).

This is an application for outline permission only but with details of layout and means of access included. Indicative elevations have been provided.

The proposal is to demolish the two existing dwellings and erect two blocks of flats, each with 13 one-bedroom flats. Each block is shown three storeys high at the front and two storeys at the rear. The existing vehicular access would be closed and a single, new central access created to serve the development. There would be a parking area at the rear of the site with some additional parking provided adjacent to the buildings and four spaces at the front of the site. A total of 31 parking spaces is proposed, including 6 disabled spaces.

There is an existing bus stop and shelter at the front of the site, which would need to be moved in order for the new single access to be created.

Consultations and Representations

County Transport Planning Services: Object on grounds that the proposal does not comply with the adopted 'Safety Audit Policy' in that necessary information to consider the safety implications of the application have not been submitted by the applicant and, therefore, the proposal does not comply with policy DEV4 of the West Sussex Structure Plan.
The current bungalows have separate accesses onto the Upper Shoreham Road which has a speed limit of 40mph. As part of this application both existing accesses are to be closed and replaced with a single new access but no indication has been provided of the achievable visibility. Based on current guidance, splays of 2.4m by 120m would be required. From visiting the site, it is questionable whether this would be possible particularly to the east, where visibility is restricted due to the alignment of the carriageway. If 120m cannot

be achieved, the applicant is invited to undertake a seven day automatic traffic speed survey to ascertain the 85th percentile speeds which may enable the sightline to be reduced. Given the volume of traffic using Upper Shoreham Road and the likely number of daily vehicular movements from this proposal, reduced sightlines cannot be accepted unless supported by satisfactory speed survey information.
The proposed 25 standard car parking spaces and 6 disabled spaces are acceptable in total but the parallel disabled spaces are not of sufficient length and need to be 6m long. The positioning of 4 of the spaces immediately inside the access is of questionable safety as vehicles may be manoeuvring close to where vehicles will be entering the site. Given the scale of the development and the nature of the road, a formal bellmouth constructed under a s278 Highways Agreement would be required. The closing of the existing accesses would also be included as part of this agreement. A highway works scheme would need to be added as a condition to ensure works were carried out prior to occupation. No provision has been made for cycle parking or for pedestrians accessing the site. The relocation of the bus stop and shelter would need to be included as a condition on any planning permission with the final position to be agreed by WSCC Transport Infrastructure.
The sustainable transport methodology contribution required is £19,825.

WSCC Planning Services: Raise strategic objection because of conflict with policy DEV4 (safe and convenient access by a choice of means of travel and reduction of motorised journeys) of the West Sussex Structure Plan. Otherwise no objection commenting that the site is close to local services and public transport facilities and so would accord with NE13 which encourages development at sustainable and accessible locations. Policy LOC1 encourages the reuse of land within built up areas subject to the impact on the local environment (including for the AONB designation) and in this context consideration must be given to CH1 which seeks to maintain the character, distinctiveness and sense of place of settlements and DEV1 which requires that the construction, layout, scale, appearance and landscaping of development is of the highest quality and respects local context. Policy NE2 requires that new residential development should provide a mix of housing types, sizes and tenures and NE3 requires that developments should include a proportion of dwelling sizes and types to meet the proven needs of people not able to compete in the general housing market. The provision of smaller dwellings would go some way towards meeting the needs of smaller households. Policy G12 of the West Sussex Waste Local Plan Revised Deposit Draft 2004 requires that new waste management facilities be provided to serve new development that is close to the point of generation and planned as an integral part of the development.

The Infrastructure Officer states that Shoreham Library would not be able to cater adequately for the additional demands of the new residents, nor would the fire and rescue infrastructure. Policy DEV3 requires that the provision of additional service infrastructure to meet the needs of new development should not impose a cost on existing residents and it is necessary for the development to contribute towards additional library (£2,970) and fire service (£331) facilities.

Environment Agency: No objections in principle subject to conditions relating to surface water drainage details and contaminated land.

Southern Water Services: No objection.

Sussex Police: The Crime Prevention Design Adviser states that the location is a medium risk crime area. The key to controlling what occurs within the site is to control access. In this case, this should be audio/visual access control to the main entrance and a suited key access to the rear access. Lighting will be an important element, both around the building and in the car park.

Director of Services: The Environmental Health Officer has no objection but advises that condition C18Ri should be attached to any permission granted.

The Head of Housing Need considers that, in the absence of provision of a 35% proportion of the flats as affordable dwellings, as identified in the Adur Housing Needs Survey, the application should be refused. The proposal should include 9 affordable units of which 6 should be for social rent and 3 for shared ownership.

The Waste Services Manager states that access to the site would involve 2 26 tonne refuse and recycling vehicles either reversing from Upper Shoreham Road into the service area or driving onto the site and carrying out a reversing manoeuvre utilising the T-junction at the end of the residential road. They are charged by the HSE (Health and Safety Executive) with reducing and where possible eliminating vehicle reversing movements. The proposed width of the service road is 6m. The vehicles are 2.5m wide increasing to 2.85m once a safe operating space is taken into account. The bin storage areas appear to be some 15m from the nearest vehicle stopping point. There is an HSE guideline for getting vehicles to the waste and not the waste to the vehicle, in order to reduce manual handling and therefore reducing muscular skeletal disorders (in June MSD accounted for 64% of sick leave). Therefore, the bins should be located adjacent to the roadway (preferably Upper Shoreham Road although it is appreciated that this may not be most practical for householders) or arrangement made for them to be presented on the roadside on collection days.

Third Parties: 24 letters of objection have been received, including from the owners of No.126 (part of the application site) saying that the application was a shock and they have no intention of having their property demolished for redevelopment. The other main issues raised are:-

- Significant impact on traffic flows on an already busy and congested road and the number of vehicles entering and leaving the site would be hazardous
- Additional parking pressure and slip road opposite would probably be used for overflow parking
- Re-siting of the bus stop nearer traffic bollards will increase danger to motorists and pedestrians when the bus is stationary at the stop, particularly people trying to cross at the nearby island

- Overlooking and loss of privacy from 3 storey buildings
- Loss of light
- Loss of trees detrimental to the environment and local area
- Noise disturbance (including from parking area) light pollution and dust during construction
- Overdevelopment in what is already a highly populated area
- The area needs low cost houses not flats
- Schools and doctors etc already too stretched in the area and this could create another 50-60 residents
- Design of proposed buildings not in keeping with the area and will adversely impact on the character of the area. There are no other three storey buildings nearby
- Destruction of the most attractive house in the area for material gain
- Could set a precedent for more flats in the area, the existing bungalows are high quality and enhance the area

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, NE1-3, CH1, ERA1, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AG3, AP8, AB25-27, AT12, AH1-3, AH5 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, H1, H3, T3-4, CI2, ENV3-5, ENV10
Interim Supplementary Planning Guidance on Affordable Housing (ADC 2004)
Revised West Sussex Parking Standards & Transport Contributions Methodology (WSCC 2003 & ADC 2004)
'The Provision of Service Infrastructure related to New Development in West Sussex – Part 1' (WSCC 1999)
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 of Shoreham (but remains within the outdated boundary of the designated Area of Outstanding Natural Beauty). 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, as well as affordable housing, 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 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 (as required by AT12) and accordance with adopted standards (in this case the Council's DC Standard No. 2 'Space Around New Dwellings and Flats' 1996.) 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 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 (NB. policy H3 of the Adur Submission Core Strategy requires a minimum 35dph) 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.

PPS3 also gives advice in relation to affordable housing stating that Local Planning Authorities should, amongst other things, 'set out the range of circumstances in which affordable housing will be required.' 'The national indicative minimum site size threshold is 15 dwellings. However, Local Planning Authorities can set lower minimum thresholds, were viable and practicable.'

Policy AH3 of the Local Plan states that, 'The District Planning Authority will seek to negotiate the provision of a proportion of social housing and /or low cost housing on all other sites coming forward during the Local Plan period, subject to site and market conditions, the type of development proposed, the character of the area and other important constraints. In all cases, planning permission will normally be subject to a legal agreement to this affect.

The Adur District Council Interim Supplementary Planning Guidance for Affordable Housing published in September 2004 is linked to Policy AH3 and states that 'an appropriate proportion, of the order of 30% of social and/or low cost housing on all suitable sites should be sought.

Policy H2 of the Adur Development Plan Submission Core Strategy states that a minimum of 35% affordable housing should be sought from developments of 10 dwellings or more, unless it can be demonstrated that the exceptional circumstances of the site make it unviable to do so. This derives from the Adur Housing Needs Survey.

Visual amenity

The existing chalet bungalows are set in quite large plots and are partly screened from Upper Shoreham Road by existing walls and vegetation. The two proposed replacement blocks (each with 13 one-bedroom flats) are shown three storeys high facing Upper Shoreham Road, reducing to two storeys at the rear.

The proposed density of development is 131 dwellings per hectare. This is very high in relation to surrounding properties, which are predominantly detached and semi-detached bungalows and houses, and is also fairly high for a development of flats, especially in a location outside a town centre.

There would be very little soft landscaping on site and with four parking spaces located adjacent to the site entrance, it is considered that the site would have a hard, built-up appearance, detrimental to the streetscene.

The buildings would be three storeys at the front, in an immediate locality where there are no buildings of more than two storeys, the nearest taller buildings being Southlands Hospital to the west and at Kingston Broadway to

the east. The buildings, as illustrated, would be large, each measuring 16m in width and 9m in height at the front. The depth of the buildings would be as great as 24m, with the rear 7m reduced to two storeys in height (6.5m high). Although the design of the buildings is only indicative at this stage, it demonstrates the bulk and mass necessary to accommodate 26 flats on the site. It is considered excessive and out of character with its surroundings and would give an appearance of overdevelopment of the site.

Residential amenity

The space around 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 submitted layout shows that no outside amenity space for residents of the development would be provided. This does not accord with the Council's DC Standard No.2 which requires a minimum 20sqm per flat (ie. 520sqm in total) and is further evidence that the proposal is overdevelopment.

The indicative floor plans indicate that each unit would provide approximately 52 sqm internal living space, which compares with the Council's adopted standard of 45sqm for flats created by converting existing houses.

While the proposed buildings would be set forward of the detached chalet bungalow at No.120 Upper Shoreham Road, this position does not breach the general 'rule of thumb' guidance of not encroaching beyond a 45 degree angle of view from the windows of the adjoining dwelling.

In order to maintain privacy, the Council's adopted standard is 22m between principal windows of dwellings/flats which back onto each other. With taller buildings, the standard states this distance should be increased to 28m for three storeys. In this case, the houses to the rear in Rosemary Drive would be approximately 27m away which is acceptable. The houses on the opposite side of Upper Shoreham Road are 45m away and clearly overlooking could not be justified as a reason for refusal. To the west of the site is a large car sales site, which was formerly a petrol station, and therefore there is no residential amenity issue in that direction.

To the east there is a belt of tall and mature vegetation between the site and the side of No.120 Upper Shoreham Road, which is a detached chalet bungalow. The indicative floor plans show that the eastern building would lie within 5m of the side wall of No.120 but would not feature any principal windows in this elevation. The vegetation is mature and could not be relied upon to offer an indefinite buffer between the site and No.120. As a result it would be important for any development of this site to maintain the privacy at the side, although this would be an issue to be addressed at the reserved matters stage during consideration of the design and layout of the proposal.

Access and parking

The existing chalet bungalows each have a vehicular access with crossover from Upper Shoreham Road. It is proposed that both existing accesses would be closed and one new central access and service road created for the proposed development. A total of 31 parking spaces would be provided, the majority being positioned at the rear of the site, with several, including disabled spaces, located around the buildings.

The WSCC as local highway authority object due to lack of evidence that the required visibility can be achieved and because, owing to the likely number of daily movements at the site and the volume of traffic on Upper Shoreham Road which is subject to a 40mph speed limit, reduced sight lines cannot be accepted unless supported by actual speed survey information. A Safety Audit is also required to demonstrate satisfactory access.

The total number of car parking spaces proposed is considered acceptable for the development but some of the spaces are substandard, including the parallel disabled spaces that would need to be a minimum of 6m long, and the four spaces by the entrance because vehicles using them would need to be manoeuvred close to the access point. There is no indication that provision would be made for 29 secure covered cycle parking spaces to meet the adopted standard.

Affordable housing and mix of dwelling types/sizes

No affordable housing has been proposed in the application. PPS3 states that a proportion of affordable housing should be provided as part of developments of 15 or more units. Although the Council's Supplementary Planning Guidance requires a minimum of 30% affordable units, the Adur Housing Needs Survey identified that this should be increased to 35% and this is contained in policy H2 of the Submission Core Strategy. A 35% proportion amounts to 9 units of the 26, of which 6 minimum should be for social rent and the remainder for shared ownership.

The priority to be given to securing the provision of more affordable housing is emphasised by central Government in PPS3 'Housing'. The Adur Housing Needs Survey has identified the high degree of need and this is reflected in planning policies for housing provision. The Adur Housing Needs Survey update states that Adur needs 394 affordable homes per annum whereas an average of only about 40 have been achieved in recent years. There are 1,149 households on the Council's Housing Register of which 692 are families with children and 120 are in temporary accommodation.

The applicant states that the intention is to provide starter homes in an area short of such housing and in close proximity to employment opportunities at the Dolphin Road industrial estate. However, the provision of 'low cost' housing was deleted from the original definition of 'affordable housing' by

PPS3. Consequently, the applicant's argument is unsustainable and the proposal is contrary to PPS3 and policies AH3, NE3 and H4.

Moreover, in order to accord with policies NE2 and H5 and PPS3, it is considered that a mix of unit sizes as well as tenures, rather than solely one-bedroom units, is required within a development of this size. The number of units would clearly need to be reduced to provide a proportion of units with more than one bedroom in each.

Sustainable and Resource Efficient Buildings

Policy ENV2 of the new Adur Development Plan - Submission Core Strategy states that all developments of the scale proposed will be expected to provide a minimum of 10% of their energy requirements from on-site renewable energy generation unless it is demonstrated that this would render the scheme economically unviable or have significant adverse effect on the townscape. ENV4 states that measures will be required to ensure new buildings achieve efficient environmental performance and to meet the BREEAM 'very good' or equivalent (now level 3 of the Government's new Code for Sustainable Homes). Policy H3 also requires all new homes to be designed to 'Lifetime Homes' standards.
There is no indication that the proposal would meet any of these requirements.

Recommendation

REFUSE on grounds that:-

1. The Local Planning Authority is not satisfied that the proposed development can take place without resulting in detriment to highway safety. The proposal does not comply with West Sussex County Council's adopted 'Safety Audit Policy' in that necessary information, including on visibility splays, has not been provided and the proposal is consequently considered not comply with policy DEV4 of the West Sussex Structure Plan and AT12 of the Adur District Local Plan.
2. The proposal is unacceptable in that it does not relate sympathetically in design, form and scale with the existing character of the locality and, owing to the excessive proportion of the site that would be covered with buildings and hard surfacing, it would be an overdevelopment of the site to the detriment of the amenity of the area, conflicting with policies AG1 & AH2 of the Adur District Local Plan, LOC1 & DEV1 of the West Sussex Structure Plan and ENV5 and ENV10 of the Adur Development Plan Submission Core Strategy.
3. There is no evidence that the necessary proportion of the flats would be provided as affordable housing within the definition contained in PPS3 to meet the need for such accommodation as required by the Council's Interim Supplementary Planning Guidance for Affordable Housing and policies AH3 of the Adur District Local Plan, NE3 of the West Sussex Structure Plan and H2 of the Adur Development Plan Submission Core Strategy and PPS3 'Housing'.

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4. There is no evidence that the necessary contributions would be made to improvements to sustainable transport, library and fire service infrastructure to offset the effects of the travel and infrastructure demands generated by the proposed dwellings as required by the West Sussex Transport Contributions Methodology and policies DEV3-5 of the West Sussex Structure Plan, AG3 of the Adur District Local Plan and T3 and CI2 of the Adur Development Plan Submission Core Strategy.

5. There is insufficient information to demonstrate that the proposed flats would be sustainable by achieving efficient environmental performance (at least level 3 of the Code for Sustainable Homes), by meeting the 'Lifetime Homes' standards, and by meeting a minimum of 10% of their energy requirements from on-site renewable energy generation (unless it is demonstrated that this would render the scheme economically unviable or have significant adverse effect on the townscape) as required by policies ENV4, H3 and ENV2 respectively of the Adur Development Plan Submission Core Strategy.

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