Development Management - Delegated Officer Report

Application Number: AWDM/0376/18 Recommendation – Approve

Site: Lancing Manor Filling Station, Old Shoreham Road Lancing

Proposal: Application for approval of reserved matters following outline application AWDM/1128/14 for Appearance and Landscaping through the submission of detailed plans and elevations for 6 no. 3 bedroom dwellings and a detailed soft and hard landscaping scheme and drainage details

Date of site visit: 5 April 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The site (0.2 hectares), lies on the north side of the A27 at the eastern edge of, but within, the built up area boundary for Lancing. The southern edge of the South Downs National Park lies directly to the north of the site. There are two existing access points onto the site which have been used as an in-and-out arrangement. Much of the site has been levelled and contains a concrete hard standing with a retaining wall around the north-east corner of the site. The western part of the site retains its original level and consists of an elevated grassed area with a large tree sitting centrally within it. The land rises to the north and the boundary with the National Park which contains trees and other vegetation. More substantial trees can be found along the eastern boundary. To the west there is a close-board fence on the boundary with a detached dwelling (Lancing House). That property contains a number of large trees within the garden close to the boundary. Other large detached dwellings lie further to the east. The south side of the A27 contains residential development (semi-detached and detached) and a former petrol filling station with canopy which is now used for car sales. The site has now been enclosed by security hoarding along the frontage.

The site formerly contained a petrol filling station with 2 pumps, a kiosk and no canopy, but this use ceased over 20 years ago and the structures were removed. More recently, it was used for storage of new cars under a temporary permission but this has now ceased (ADC/0459/06).

Outline permission was granted at appeal in August 2016 for the erection of 6 no. three bed dwellings comprising a terrace of 3 no. two storey dwellings positioned side-on to the A27 towards the eastern end of the site and 3 no. linked two storey detached houses also side-on to the road at the western end of the site (AWDM/1128/14). Access, layout and scale were considered at that time with design and landscaping reserved for future consideration.

This application now seeks approval of the appearance and landscaping of the development. In addition, the application is seeking to provide details

pursuant to a number of planning conditions imposed at the outline stage, namely Conditions 5 and 6 (contamination), Condition 9 (drainage/flood risk), 10 (confirmation of connection of surface water outfall pipe), 14 (Construction Method Statement), 15 (Noise), 16 and 17 (Parking), 19 (Boundary Treatment) and 20 (Bin Stores).

The access, layout and scale of the development remains as approved at the outline stage, with the existing access and egress points retained and a new access drive provided between the two rows of dwellings. The proposed linked detached houses (Plots 1-3) are each to have an integral garage with a parking space in front. The parking for Plots 4-6 is to be provided within a detached pitched roof triple garage building positioned at the eastern end of the site, with additional parking provided at the end of a new drive adjacent to the garage and in front of Plots 4,5 and 6.

The houses will step up into the site and there will be some cutting in towards the north of the site, with a new retaining wall provided to the north of Plots 3 and 4. A large tree (Acer) has already been felled in order to accommodate the development. Acoustic fencing (2.5m high) is to be provided along the southern and western boundaries of Plot 1 and along the southern and eastern boundaries of Plot 6 to protect the future occupants from road traffic noise.

The houses have 35 degree pitched roofs with gables ends facing north and south. As amended, the roof is proposed to be finished in plain concrete/clay tiles with the walls constructed of multi stock bricks with tile hanging at first floor. The garages between each house (Plots 1-3) are to have pitched roof dormers on the front roofslope.

Relevant site history

ADC/0251/10 – Application for new planning permission in order to extend time limit for implementation of L/114/05/TP for redevelopment with car showroom building (with ancillary MOT/preparation bay) and open car display to west - Approved

ADC/0252/10 - Redevelopment with petrol filling station, canopy and shop, with fuel storage tanks within landscaped raised mound (including 24 hour opening for a one year trial period) – Approved

AWDM/1128/14 - Outline application (including details of access, layout and scale) for the erection of 6 no. 3 bedroom dwellings – appeal allowed

Consultations

West Sussex County Council: The **Highway Authority** has advised that it was consulted previously on Highway Matters for this location under planning application AWDM/1128/14 seeking outline consent (including details of access, layout and scale) for the erection of 6 no. 3 bedroom dwellings.

As part of this consultation it was identified that this application site was directly accessed via A27, consequently the Local Planning Authority was advised to consult with The Highways Agency (Now Highways England)

regarding the highways implications of this application for they are the Local Highways Authority for this trunk road.

The application was refused by the Local Planning Authority and a subsequent Appeal allowed. This latest application seeks to deal with those matters reserved under AWDM/1128/14 namely Appearance and Landscaping. Once again given the site is directly accessed via A27 they advise the Local Planning Authority to direct Local Highway Authority consultation to Highways England.

Adur and Worthing Councils: The **Environmental Health** Officer is satisfied with the proposed contaminated land remedial measures. No other EHO comments.

The **Engineer** has no objections. Advises that he attended a site visit on 7 June 2018, during which the contractor undertook a surface water drainage discharge test.

There is a surface water drainage chamber on the northern side of the A27; this chamber is not part of Highways England network. The contractor cleared silt build-up from in front of the headwall which is visible in the ditch running along the east of Mash Barn Lane, to the south of the A27, there are several pipes discharging through this headwall, most of which needed to be uncovered by the contractor. The contractor discharged 400 litres of dyed water into the chamber and this freely flowed into the ditch – this shows that there is historic positive discharge from the site – which works.

The site cannot be drained by soakaways partially due to poor infiltration but primarily due to contamination from the sites previous use. The GTA Civils drainage proposals placed on the planning portal dated 19th March acknowledge this fact and appear to be adequate and appropriate for the site conditions.

Based upon the drawings provided and the site test, he no longer has concerns regarding discharge of surface water from the site. There is still an issue with groundwater in this vicinity but the foundations of the properties will be designed for this scenario. Looking at the depths and volumes of concrete found by the contractor whilst looking for the surface water drainage, he estimates that below ground obstructions to ground water will be very similar post construction to that seen now.

The only concern that he has for the viability of this site is siltation of the ditch in front of the headwall outlet – however as this is within ditches owned and managed by the New Monks Farm consortium – they will be responsible for the maintenance.

He is now happy for Condition 10 of the outline permission to be signed off and for works to continue as appropriate.

The **Waste Services** Officer has no objection. Advises that they can enter at the access point and collect the bins from the front then drive straight out.

The **Tree and Landscape** Officer has advised that he has looked at the tree and landscape plans and considers that the species and size of trees, and hedging will be in keeping with the location and likely to survive. He considers that the plans are acceptable and can be approved

Environment Agency: We agree with the conclusions and recommendations for further investigations and remediation strategy at the site, and can recommend the discharge of this condition.

Elevated hydrocarbon levels have been detected in the soil and groundwater to the east of the site. This contamination seems to be causing a ground gas issue also. Previous investigations did not detect UST but further GPR surveys did identify a concrete caisson. It is theorised that the UST were removed with the void filled in with concrete. It appears that some hydrocarbons were still present within the void at this stage – acting as a source for the hydrocarbon contamination. This appears to have been a source of contamination for at least 20 years.

The remediation strategy basically proposes removal of source and contaminated material being replaced by imported material. Additionally, geo textile or membrane will be installed to reduce ground gas emissions. The verification plan calls for prolonged groundwater monitoring and testing of soil as well as ground gas monitoring.

South Downs National Park Authority: No comments to make

Lancing Parish Council: No objection

Southern Water: No objections. Southern Water requires a formal application under Section 106 for approval to connect to the public foul sewer to be made by the applicant or developer.

The Council's Building Control officers/technical staff and the Environment Agency should be consulted regarding the surface water disposal.

Highways England: No objection.

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 policies 1, 2, 3, 15, 16, 18, 20, 28, 34, 35, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
West Sussex 'Guidance for Parking in New Residential Developments' and 'Residential Parking Demand Calculator' (WSCC 2010)
National Planning Policy Framework (July 2018)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

The site is located within the built-up area and is not identified or allocated for any particular use or development in the Local Plan. Residential infilling and redevelopment is supported by policies in the Local Plan and is needed in order to meet the Council's housing land supply required by the NPPF. Priority is given to use of previously-developed land. However, any development should respect the character of the local area and the residential amenities of neighbouring occupiers.

The site has also been identified in the Council's Strategic Housing Land Availability Assessments (SHLAA) in 2009, 2012 and, most recently, October 2014. It is concluded to be suitable, achievable and deliverable for housing development. Outline permission was allowed on appeal for this development and the principle of residential development has therefore been established.

Visual amenity

The proposed houses follow the indicative design of the outline application with a simple form with limited materials, namely brick and tile. Amendments have been received to add some visual interest through the use of a contrast material and tile hanging, which benefits particularly the gable ends facing the A27.

The terrace on the west side of the site is broken up with the link attached garages with lower roofs and dormers. They have a staggered layout as they step up the site to the north. Some cutting in will be necessary at the north end.

The layout of the development does not provide for housing directly fronting the road and the public face of the houses will be a view onto a blank side wall. This would be out of character with existing residential development in the area, which all faces the road, but there are considered to be reasonable grounds to allow the houses to be oriented in such a way, primarily as a means of reducing noise impact to future occupiers and to enable more generous garden space for each dwelling than would be the case with a line of houses fronting the road.

Landscaping

The submitted landscaping strategy includes the protection of the existing trees and shrubs on the northern boundary of the site, as well as those along the western boundary. Several dead trees are to be removed from the hedgerow along the northern boundary but it will be reinforced with new planting of native species, to soften the impact when viewed from the National Park. Further planting is proposed throughout the development, including along the frontage, with species such as Hawthorn, hazel, field maple, beech and holly to provide a suitable hedge which will help to soften the appearance of the development and the acoustic fence to some extent.

There was some concern at the proximity of Plot 1 to the site's frontage, with the south east corner intruding into the planting area. This has now been resited 0.3m further and further west by 1m which allows more space between the corner of the house and the access road. The result is that Plots 1-3 have all moved 0.3m further north which does encroach slightly into the landscape buffer along the northern boundary of the site. However, a good buffer is retained of between 1.3m and 2.7m depth at that point which enables the retention of existing vegetation and new planting.

Contamination

The application includes a ground investigation report which identifies soil contamination associated with the previous use as a petrol filling station, plus details of the ground water/ gas monitoring test results and Remediation Strategy. Both the Environmental Health Contaminated Land Officer and the Environment Agency are satisfied with the strategy and have no objection.

Drainage and Flood Risk

One of the main concerns at the outline stage was whether there was a suitable surface water drainage outfall pipe that is capable of accommodating surface water flows from the development. There was some concern that an existing pipe that runs under the A27 to a ditch on the south side of the road was blocked or broken. However, an on-site test has verified that satisfactory drainage of surface water can be achieved and the Council's Engineer has no concerns at the ability of the pipe to accommodate flows from the site.

Highways England has confirmed that it has no objection to the proposals which appear to be capable of draining the site without overloading the A27 drainage system.

Construction Method Statement

The application was accompanied by a construction method statement and plan which satisfactorily addresses issues such as plant and materials storage, wheel washing and dust control.

Noise and acoustic fencing

In order to protect future residents from road traffic noise, it is proposed to use a mechanical ventilation and heat recovery (MVHR) system. The layout shows kitchens at the front and lounges at the rear, protected by a 2.5m high Jakoustic acoustic fence along the southern boundaries of Plots 1 and 6. A full noise assessment was submitted at the outline stage and it is a condition of the outline permission to ensure that the dwellings are designed to protect residents from road traffic noise. In addition to the acoustic fence and MVHR, the glazing was required to achieve a noise rating of Rw=38dB for the houses closest to the A27 and Rw=36dB for the other units. The submitted plans confirm this.

There are no objections from the Environmental Health Officer to these noise protection measures.

Parking

Parking is to be provided in the form of integral garages and the driveways in front for Plots 1-3 with a detached triple garage for Plots 4-6. Additional parking is provided in front of Plot 4 and at the rear of Plots 5 and 6, plus visitor parking in front of Plots 5 and 6.

The parking is not unduly intrusive and provides 2 spaces per dwelling plus 2 visitor spaces which is considered to be sufficient. Cycle parking would be possible within the garages and garden sheds for each dwelling.

Bin stores

Waste storage is provided within enclosed sheds at the front of each dwelling.

Residential amenity – effect on existing dwellings

The nearest dwelling to the west is 'Lancing House' which has a side dormer and 2 ground floor windows facing the site. Plot 3 will have the most impact on that property and the distance between the existing and proposed houses is shown as being 21m, which is 1m short of the recommended back-to back distance of 22m. However, the dormer at Lancing House is set back from the edge of the wall, within the roofslope, increasing the separation distance. Furthermore, there are several mature evergreen trees within the garden of Lancing House which provide a partial screen and which will help to mitigate the impact of much of the development on the amenities of the existing occupants. Plot 3 is shown as being sited predominantly in line with the largest conifer tree within Lancing House which will further reduce the opportunities for overlooking.

Plots 1 and 2 will have less impact due to their position facing across the front of Lancing House where there are further mature trees and the garage within the garden of that property. The easternmost units will have no impact on residential amenity.

Residential amenity – proposed occupiers

The dwellings have a floor area of approximately 92sqm which meets the 3 bed 4 person space standards and falls short of the 3 bed 5 person floor area by 1sqm only. Bedroom 3 in Plots 4-6 was originally substandard, being narrow with an area of just 5.6sqm. Amended plans have been received which have increased the floor area of Bed 3 to 8sqm and this is now satisfactory.

Externally, the resiting of Plot 1 has reduced its rear garden depth to 8.7m which is shorter than the others plots. However, it has an area of 80sqm which is just short of the 85sqm specified in the Council's DM Standard for a 3 bed detached dwelling and exceeds the 65sqm for a 3 bed terraced dwelling.

Overall, the internal and external amenity standards for all dwellings is considered to be acceptable.

Recommendation

APPROVE the appearance and landscaping details and the details pursuant to Conditions 5 and 6 (contamination), 9 (drainage/flood risk), 10 (confirmation of connection of surface water outfall pipe), 14 (Construction Method Statement), 15 (Noise), 16 and 17 (Parking), 19 (Boundary Treatment) and 20 (Bin Stores) of AWDM/1128/14

Subject to Conditions:-

1. Approved Plans

Is recommendation contrary to letter(s) of representation? N

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 5 September 2018

Authorised by: Gary Peck Date: 5 September 2018