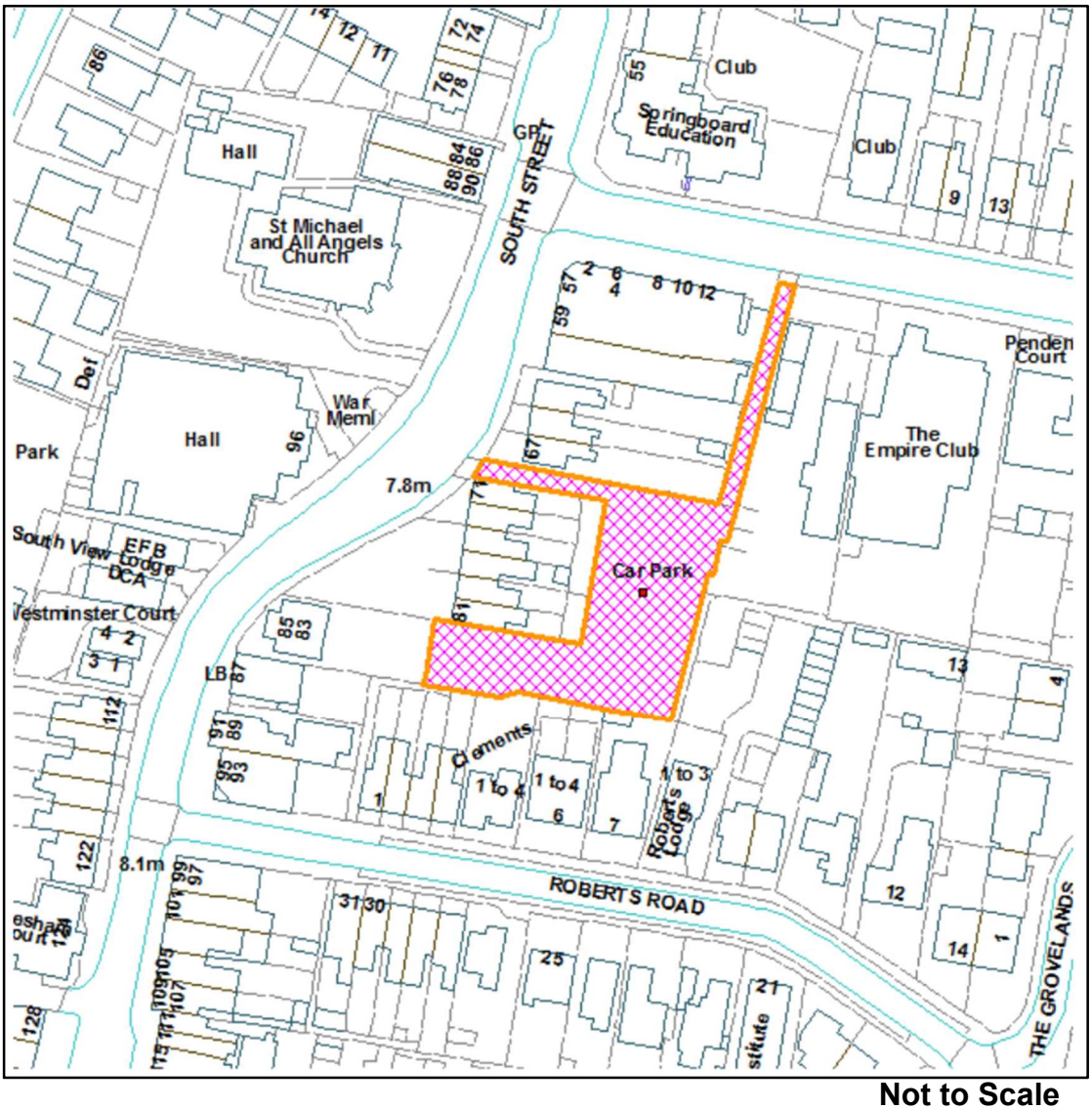
Application Number:	**AWDM/0118/23**	**Recommendation - APPROVE**
Site:	**Car Park, South Street, Lancing**	
Proposal:	**Redevelopment of existing car park to provide 7no. dwellings for emergency and temporary accommodation with associated works**	
Applicant:	Mr A Probert, Adur District Council	Ward: Widewater
Agent:	Neal Thompson, Robinson Escott Planning	
Case Officer:	Gary Peck	



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for the erection of 7 dwellings (4 x 1 bed and 3 x 2 bed) for emergency and temporary accommodation. The layout of the development will comprise a terrace of 5 no. properties along the eastern parcel of the site, and a pair of semi-detached dwellings to the south of Seaton Terrace on the western side. The eastern terrace will be a mix of 1 and 2 bedroom units, which will be two storeys in height and will have flat roofs with red brick facades. The units to the south of Seaton Terrace will have pitched zinc roofs. The proposed dwellings will meet National Space Standards at 58 and 71 square metres respectively for the 1 and 2 bed units.

It is proposed that the development will use the access points of the existing car park with an access 'in' off South Street and access 'out' onto Penhill Road. The development proposes 8 car parking spaces in total, 5 of which are located at the southern end of the development between the two housing areas, whilst the other three are located opposite the 5 residential units in a parallel formation. Of the 8 parking spaces, the 5 along the southern edge of the development would be reserved for residents of the proposed development, whilst the remaining 3 parallel bays would be reserved for current residents of Seaton Terrace. The 5 resident car parking spaces provided on site would have electric vehicle charging provision in accordance with Building Regulations Part S

The application site is centrally situated within the built-up area of Lancing on the eastern side of South Street, to the south of Penhill Road and to the north of Roberts Road. The site comprises a public car park of about 32 unmarked spaces, although it appears rare that the car park is used to capacity. The site area is approximately 0.1 hectares.

There are neighbouring residential properties adjacent to the application site, including 67 South Street to the north whose rear garden borders the site. To the south are the back gardens of dwellings in Roberts Road separated from the application site by a timber fence. Properties in Seaton Terrace (71-81 South Street) are to the west of the main site area and to the north of the proposed pair of dwellings. The eastern boundary of the site is well screened by trees and it is stated that no trees are to be removed to facilitate the proposal.

Relevant Planning History

Planning permission was granted in 2010 for the Demolition of outbuildings at rear of Nos. 65 and 67 South Street; erection of 214 sqm Place of Worship (D1H) and retention of public car park with widening of west access and retention of north access (outline including access and layout details) (application for a new planning permission to replace an extant planning permission (ADC/0192/07)). The permission was not implemented and subsequently lapsed.

A planning application submitted in 1997 for the Change of Use of Part of Public Car Park To Storage of Materials by Builders' Merchant was withdrawn prior to determination.

Consultations

Environmental Health

No objection

West Sussex County Council

West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been consulted on the above Full Planning Application, with regards to any highway safety or capacity concerns. The application is supported by way of a Transport Statement (TS).

Background and Site Context

The application site is located along South Street, to the south of Lancing village. The site is currently being used as a public car park known as 'South Street Car Park, with 32 vehicle parking spaces. These spaces are used by members of the public and by the occupiers of the dwellings at 'Seaton Terrace', to the front of the development site.

The development proposals are for redevelopment of the car park to provide 7 nos. dwellings (4 no. 1-bed and 3 nos. 2-bed) which would be used by Adur District Council for the purposes of emergency and temporary housing. The scheme includes the provision of 8 nos. car parking spaces with associated landscaping.

Access and Visibility

The site has a one-way access arrangement where the access is from South Street and the egress is onto Penhill Road. Both South Street and Penhill Road are subject to 30mph speed limit and provide good visibility splays along both sides of the road.

WSCC's online record for road traffic collisions have been interrogated. This reveals, although, there have been few incidents of personal injuries near to the site access on South Street, there are no patterns for these incidents to suggest there is a problem with road layout or geometry.

Parking Arrangements

A CCTV parking accumulation survey was conducted in April 2022 to understand the level of occupancy of the car park. The data revealed that there was occupancy of 35% to 44% during the majority of the day and 16% overnight. A parking beat survey of 500 metres distance of the site was conducted in November 2022 which revealed an occupancy of 65%. Therefore, it is evident that there are ample vacant parking spaces along the neighbouring streets to accommodate the displaced parking from the existing car park.

The development proposes to provide a total of 8 car parking spaces, with the option of 3 spaces being offered on lease to the occupiers of Seaton Terrace and the remaining 5 spaces being used by residents/visitors of emergency housing. This level of car parking is considered adequate given the low car ownership rate of the residents of sheltered / emergency housing.

In accordance with WSCC's Cycle Parking Standards, the development is provided

with 8 bicycle spaces within 4 nos. Sheffield Style stands. These stands are in a safe, secure, and well-lit location within the development.

Delivery and Servicing Arrangements

The internal layout can accommodate a delivery van to enter the site, turn within and exit in forward gear. Swept path analysis diagrams included within the TS demonstrate the different manoeuvrers of a delivery / panel van and a standard car. A fire tender vehicle is unable to enter the site due to the site entrance being narrow; however, a fire appliance parked on South Street would be located within the maximum permissible distance of 90m from all points within each of the proposed residential unit.

Refuse collection is carried out from the kerbside along South Street, in line with the existing arrangements.

Sustainable Transport Accessibility

There are continuous footways along both sides of South Street and Penhill Road which connect onto wider footway network, with good street lighting favourable for walking. Many local amenities, services and nearby bus stops are accessible by walking. The nearest bus stops located within 200 metres of the site access provide connectivity to nearby towns and villages. Lancing Train Station located within 400m distance to the north of site access provides wider transport network connectivity, such as London Victoria via Gatwick Airport, Brighton, Littlehampton, Portsmouth Harbour, Southampton etc. Therefore, it is evident that the site is accessible by various sustainable transport modes, without solely relying on private car use.

Trip Generation and Highway Capacity

TRICS database has been interrogated to estimate the likely number of trips generated by the proposed uses. It is estimated that the proposed uses could generate a total of 27 movements together with the trips from the users of the Seaton Terrace. These trips are still fewer than the 56 recorded vehicular trips generated by the site as a public car park. Therefore, the proposed vehicular trips are not expected to cause a material impact and could easily be accommodated onto the local highway network.

Conclusion

The Local Highway Authority (LHA) do not consider that this proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

Lancing Parish Council

It was resolved to support this application, subject to compliance with planning legislation and regulations.

Southern Water

No objection

Technical Services

The details in respect of surface water drainage are acceptable

West Sussex Fire and Rescue

Having viewed the plans for the planning application no. AWDM/0118/23 for the redevelopment of existing car park to provide 7no. dwellings for emergency and temporary accommodation with associated works, evidence is required to show suitable turning facility is provided to enable a fire appliance to turn and make their exit. A requirement identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

Representations

Gardiner and Scardifield

- Understand the need to make better use of the land
- The company has tried to purchase the land previously but has had negative responses
- The land would greatly benefit the company and allow centralisation of operations
- The proposal is of no benefit to the company and if the development goes ahead the one piece of land close to the company that would allow investment in Lancing would be lost
- The proposal is no benefit to the people of Lancing who would lose an overflow car park

letters of objection have been received on the following grounds:

- the 14m rule, Space around new dwellings has not been applied to this development, which affects properties in Roberts Road.
- due to the closeness of the new houses coupled with a transient residency both with traffic and noise as these are designated temporary and emergency accommodation being sited in a small confined area.
- the common waste storage area for their sole use has been sited even closer to our properties 71/73 the escaping odours will be extremely offensive especially in the height of the summer as will the noise from the occupants emptying their waste and early on bin collection days , they are not for the use of the terrace and should be sited closer to the rented properties which I am sure they would agree.
- the planners propose to connect into the existing drainage system by connecting into the second chamber there are four chambers and the fourth is in our property which in turn connects to all the houses in the terrace from time to time we have experienced all of the chambers and pipework flooded due to a blockage at the south street junction and my concern is if nothing is done to correct the problem adding seven more houses will only compromise the problem see support statement.

Applicant response to above comment re drainage

There are no entries [from Southern Water's records] that relate to flooding due to a lack of capacity or the occurrence of backflow. In almost all occurrences, the cause is due to blockage. Blockage due to fat is self-explanatory, rag generally refers to fibrous material such as wet wipes, sanitary products, nappies etc.

Not particularly of relevance but S24 sewer is a sewer that was inherited from the Local Authority due to it being in existence prior to 1937, S105A sewer is a sewer that transferred to Southern Water under the 2011 Sewer Transfer Regulations.

I would suggest that this information confirms that there is no issue with capacity in the foul sewer network and the issues that have occurred locally to the site are as result of blockage.

Technical Services comments on the above response

Agree with the applicant's response. A CCTV survey will highlight any defects within the existing Foul water system and remedial action can be taken with the agreement of Southern Water. It is my understanding that if the existing system is a Section 24 sewer then SW are responsible for any repairs.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 - Policies 2,3, 9, 15, 18, 20, 22, 28 and 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats';
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
Lancing Vision 2012
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)
Circular 11/95 'The Use of Conditions in Planning Permissions' (DoE 1995)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise

Planning Assessment

The application site is within the built-up area as defined by the Local Plan where the principle of redevelopment is considered acceptable. The application site comprises a car park which due to its lack of visibility, being set behind dwellings and accessed via narrow and separate access points, has long been considered to be underused as acknowledged in the Lancing Vision document of 2012 and the Highways Authority's consultation response. The parking spaces within the site are not marked and the surfacing in places requires repair. As such, the application site represents an underutilised space close to the village centre and accordingly it is not considered there is an objection in principle to its loss. Furthermore, the housing requirements in the District, and in particular the need for emergency and temporary accommodation would lend further support for the development.

Given that part of the reason for the under use of the car park is its lack of visibility in the wider street scene, it follows that the proposed development itself will have little impact from public view, being screened by existing housing on South Street to the west and Robert Road to the south, while there is a tree screen to the east and the rear gardens of residential properties to the north.

The main issue in terms of impact, therefore, is the effect upon the existing housing that is close to the site. The proposed pair of western dwellings would sit alongside the existing dwellings in Seaton Terrace although would be orientated differently with their front entrances facing eastwards as the curve of South Street and 83 to 85 South Street prevents access to the west. To avoid overlooking, the western properties have limited opening in their western elevation unlike neighbouring buildings but since the site is effectively a backland development when viewed from South Street, this will have a limited visual impact. The rear amenity area of 83 to 85 South Street is just under 20 metres and therefore with the slight set back of the western properties from the western boundaries, the distance between properties meets the Council's overlooking standards and in any case there is only a first floor obscured bathroom window in the first floor western elevation serving the proposed properties.

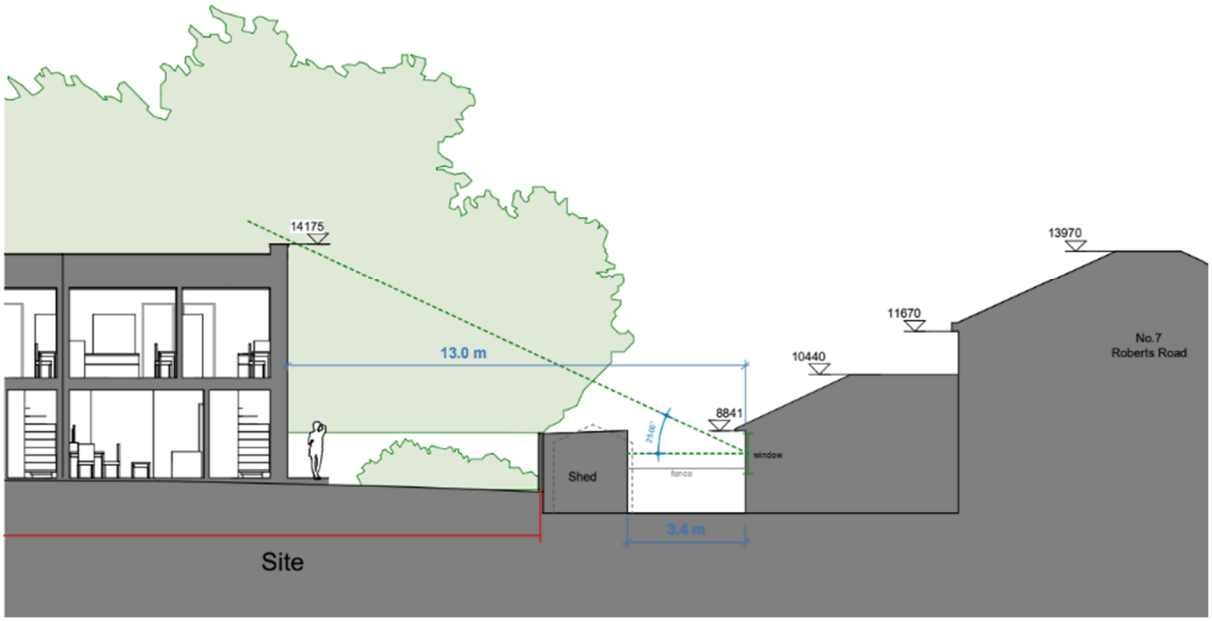
The main impact mentioned in representations is that on the properties in Roberts Road which comprise a mixture of houses and flats to the south of the application site. In particular, the representations cite the Council's Supplementary Planning Guidance which states *'where the rear of one dwelling faces the side of another 2 storey dwelling, a minimum of 14 metres is required'*

In respect of the western pair of dwellings, they are 12.5 metres from 3 and 4 Roberts Road at the nearest point, but the closest points are single storey elements of the dwellings appearing to serve non habitable rooms. The main 2 storey element of the respective buildings, themselves a projection from the main rear of the properties, are 14.8 metres from the proposed dwellings. The Supplementary Planning Guidance could be open to interpretation as it appears to reference 2 storey dwellings where one of the dwellings is on a corner of the road. It is not considered that a refusal on the grounds of a technical breach to the ground floor element of reasonably sized dwellings could be justified when the distance between the 2 storey elements of the dwellings complies with the Guidance.

The guidance has also been referred to with regard to 7a Roberts Road and has been considered even more closely as the property in question comprises a single storey flat to the rear of the main building with its outlook solely facing the application site.

The impact upon this property was discussed at the pre-application stage and as a result the proposed development leaves a 90 square metre grassed amenity area between the southernmost dwelling in the eastern block and the boundary of the application site. Even with this gap, though, the distance between the respective dwellings is 13 metres and hence breaching the guidance by 1 metre. However, it is noted that the proposed dwellings are flat roofed to reduce their impact and accordingly the applicant was requested to assess further the impact upon 7a Roberts Road.

The applicant has used BRE guidance which states that if the angle between an existing window and a new development 25 degrees or less, then it is unlikely to have a substantial effect on the diffuse daylight enjoyed by the existing building. The drawing below demonstrates that the 25 degree rule is met.



It can perhaps be assumed that the 14 metre guidance is made on the basis that a 2 storey dwelling would have some form of pitched roof but in the absence of such in respect of the proposed development, it is considered that the relationship is acceptable and again that a refusal could not be justified on the grounds of a breach of the Supplementary Planning Guidance given that the BRE guidance is met.

The front of the eastern terrace faces the rear of the properties in Seaton Terrace. The relevant overlooking distance between properties in policy terms is 22 metres which is met to the main rear wall of the dwellings although a conservatory erected to the rear of number 81 is just within the relevant distance. Again, it is not considered a refusal could be justified on this basis.

The eastern boundary of the application site is less constrained as there is a tree screen and a commercial use directly beyond. The eastern boundary is at an angle though which means that the amenity areas serving the properties progressively decreases from north to south with plot 1 having an amenity area in excess of 40 square metres, but plot 4 only being 19. Plot 5 is served by the aforementioned larger amenity area to provide a gap to the southern boundary. These areas are smaller than

ideal but given the tight nature of the site (to provide a greater garden area would move the buildings closer to Seaton Terrace hence potentially breaching the overlooking standard) and the nature of the accommodation provided, it is considered that the space provided is acceptable.

With regard to fire servicing, vehicles would service the site from South Street rather than from within the site itself as a result of the width of the proposed development's access arrangements. A Fire Safety report has been commissioned which confirms that the 90m rule can be applied to this site if sprinkler systems are provided in all of the units (as required by Building Regulations). An assessment in the Fire Safety report shows that a fire appliance parked on South Street would be located within the maximum allowed 90m from all points within each of the proposed residential dwellings.

The comments from Gardiner and Scardifield are noted but there are no specific policies identifying the land as required for employment use and given the proximity of the neighbouring residential properties, as well as the existence of other commercial uses in the area, it is arguable whether an extension of such commercial activities would be the use of land that most protects neighbouring amenities. In any case, such is the identified need for housing in the District it is considered that the proposed use is acceptable.

It is considered that the applicant's agent has worked productively with the Council before and during the application to produce a scheme that makes the best use of a site in a central location in the village and accordingly it is recommended that permission be granted.

Recommendation

Approve subject to the following conditions:

1. Approved Plans
2. Full Permission
3. No part of the development shall be first occupied until the vehicle parking spaces and turning have been constructed in accordance with plans and details submitted to and approved by the LPA.

   Reason: To provide adequate on-site car parking space for the development.

4. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the LPA.

   Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

5. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details of all temporary contractor buildings, plant and stacks of materials, provision for the temporary parking of contractor vehicles and the loading and unloading of

vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

6. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

   Monday - Friday 08:00 - 18:00 Hours
   Saturday 09:00 - 13:00 Hours
   Sundays, Bank and Public Holidays no work permitted.

   Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

   Reason: In the interests of amenity.

8. No construction works shall progress beyond slab/foundation stage until details and samples of facing materials and finishes to be used in the construction of the external walls, roofs, windows, doors, balconies, footpaths and ground floor patios of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall only be carried out in accordance with the approved details

   Reason: In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or altered by means of any development as set out within Classes A, B, D and E of Part 1 of the Schedule to that Order.

   Reason: In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings shall be formed in the southern walls of the approved dwellings.

Reason: To prevent overlooking and to comply with saved policy 15 of the Adur Local Plan.

11. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

    Reason: To ensure adequate landscaping is provided.

12. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

    Reason: To ensure adequate means of foul sewerage and surface water disposal.