Application Number: ADC/0484/07 **Recommendation – APPROVE**

Site: **78 Brighton Road, Lancing BN15 8LW**

Proposal: **Erection of 3 terraced town houses with integral car parking**

The Application

The site consists of a rectangular shaped plot of land approximately 14m wide and 22m deep, located on the south side of the A259 (at the western end of the continuous row of houses and flats on the roadside).
It was formerly occupied by a dwelling constructed from a former railway carriage. The site adjoins and backs onto the Golden Sands Holiday Caravan site, the ramped entrance to which is 90m west. The rear part of the site is crossed by the secondary sea defence embankment. To the east of the site is Southbank Court, consisting of 5 three-storey hip-roofed blocks of flats built in the 1980's. On the opposite (north) side of the A259 are bungalows and two-storey houses.

Construction of the 3 new houses is nearing completion. 3 two-bedroom town houses were permitted on the site in May 2004 under reference L/44/04.

The development as constructed has the same footprint (10.6m deep by 13m wide) as what was permitted. However, unauthorised changes have been made and the present application seeks permission for design changes to the scheme approved under L/44/04 to enlarge the accommodation by adding an extra floor and utilising part of the groundfloor garage as a room. In particular, the roof design now proposed differs from that originally approved in that it would be a flat roof with pitched surrounds rather than a conventional hipped roof. This enables the enlargement of the accommodation in each house to provide a third bedroom (at third floor level) with associated dressing room and bathroom. At ground floor level, the double length garage/carport of each house has been changed to a single carport with study behind.

A previous similar application (ADC/0293/07) to the current one was refused under delegated powers in July 2007 on grounds that:-

> "1. The proposal, with particular reference to the design and form of the roof, would result in an ill-proportioned and incongruous feature that would be visually out of keeping with existing development and detrimental to the environment, thereby conflicting with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).
> 2. 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 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).
3. The accesses are substandard and inadequate to serve the proposed development by reason of inadequate width and limited visibility and, in the absence of a Stage 1 Safety Audit, the proposed development is contrary to policy DEV4 of the West Sussex Structure Plan 2001-2016 and policy AT12 of the Adur District Local Plan."

The present application differs in that the roof has been amended to have a lower eaves line at the sides, with a greater overhang

There have also been other refusals:-
L/40/03 (for redevelopment with 3 townhouses, three storeys high with integral garages)
L/1/06 (for redevelopment with 5 two-bedroom flats in a 4-storey block including rooms in the roof)
ADC/27/07 (for 3 terraced townhouses with integral garages with revised design including additional floor to provide 3 bedrooms instead of 2 per dwelling).

Consultations and Representations

County Transport Planning Services: No objection, commenting that although there are concerns about only one parking space for the increased size of dwelling, there is capacity for parking to take place on-street without detrimental effect. NB. objected to the previous similar application ADC/0293/07 on grounds that the proposed accesses are substandard and inadequate to serve the proposed development (by reason of inadequate width and limited visibility and because there was no Stage 1 Safety Audit submitted) and the parking provision was inadequate.

Environment Agency: No objection subject to conditions requiring that if, during development, any visibly contaminated or odorous material not previously identified is found to be present then it must be investigated and requiring only clean uncontaminated fill material to be used

Director of Services: The EHO states that living accommodation facing the road must be at least double glazed to provide acoustic attenuation.

Lancing Parish Council: No objection.

Third Parties: A letter of objection from a resident of Southbank Court states that the building, which is nearly finished, is too high and should have been two, rather than three, houses for the limited space available.

Relevant Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) : LOC1, NE1-2, CH1, ERA1, ERA4, DEV1, DEV4-5
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AP3, AP8, AT12, AH1-2, AH5 and Appendix 11 'Supplementary Planning Guidance' including Development Control Standard No. 2 'Space Around New Dwellings and Flats'
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPG24 'Planning and Noise' (DoE 1994)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

The site has the benefit of permission for 3 townhouses granted in 2004, so the principle of the development is established, notwithstanding the location in a flood risk area. The Environment Agency was satisfied at that time subject to a condition requiring the first floor to be set at a height of 5mAODN.
The relevant considerations now concern only the changes to the design of the building, in particular, the revised roof design (to enable rooms to be formed in the enlarged roofspace) and the reduction of parking provision by 50%.

Policies

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..... is acceptable".

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; no unneighbourly effect on existing dwellings by loss of privacy, light or outlook; 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, in order to achieve a wide choice of high quality homes, improve affordability and create sustainable, inclusive, mixed communities, generally encourages the maximisation of the use of previously developed land for housing development at higher densities and without rigid application of parking and amenity space standards. However, it is also states that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted".
It encourages LPAs to promote "designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes". It states:- "Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation. The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Visual amenity – character and appearance

The amended building for which permission is sought is located on the same building footprint as the previously approved 3 two-bedroom townhouses (L/44/04). Also, the overall height remains the same, being 10.5m tall. The eaves height has been increased from 7.4m to 7.7m and the eaves overhang from 0.2m to 0.7m.

However, the main concern is that the roof would no longer be hipped with a central ridge line but would be flat on top with pitched surrounds. This increases the mass of the roof, particularly when seen from the west where the side elevation is extremely prominent owing to the frontage of the adjoining caravan site being undeveloped. Combined with its wide overhang,

the revised roof would tend to give the appearance of being a 'hat' on top of the side wall. The proportions of the revised roof design as seen from this prominent and exposed west side are considered to be much less satisfactory than the approved design with a conventional hipped side to the roof.

The front façade measuring 13m across with a forward central gable projection is similar to the previously approved plan but with the ridge of the central gable (now tile-hung) being 10.5 high rather than 9.7m. Changes are proposed to the fenestration, omitting the Juliet balconies previously approved. These revisions are considered acceptable and the inclusion of a white-painted rendered band on the upper part of the front wall should improve the appearance and help to give the impression of a lower wall height as seen from the front.

Residential amenity

It is considered that the impact on the residential amenity of the adjacent flats to the east would not be significantly altered as compared to the previous approval.

However, the deficiency in rear garden size under Development Control Standard No.2 has been worsened as a result of the increase in the size of the houses from 2 to 3 bedrooms. The areas of rear garden marked on the plans for each of the houses is only 54sqm, 30sqm and 35sqm. These fall well short of the Council's minimum standard of 65sqm for three-bedroom terraced houses (as compared to the standard of 50sqm for two-bedroom houses) although Government advice is not to apply standards rigidly.

Access and Parking

The access arrangements are not materially different from what was previously permitted. They would appear to involve a continuous kerb/pavement crossover. The width of the proposed open-fronted integral garages has been increased to make access easier. In order to enable cars to enter the site without stopping on the pavement of road, a condition would need to be imposed to prevent garage doors from being added at a later date.

The main concern is that only one car space per house is now proposed as compared to 2 previously. Owing to the building being set back only 1.8m from the pavement, there is no space for parking in front of the garages. The adopted Revised West Sussex Parking Standard states that the maximum requirement for three-bedroom houses is 2 car spaces per dwelling. However, as this is an accessible location on a bus route with a frequent service, the reduced provision proposed would appear acceptable unless likely to lead to increased on-street parking causing increased hazard to highway users. The views of WSCC are awaited.

No sustainable transport contribution is required because permission for 3 houses was granted before the methodology was adopted.

Recommendation

APPROVE for the reason:-

The proposed development is within the built-up area and would help meet the need for additional housing without significant detraction from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH1-2, AH5, AT12) and the West Sussex Structure Plan (LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5).

Subject to:-

1. C1Ci (Standard time limit)
2. The first floor of the building shall be set at a height of 5.0m AODN. No dwellings hereby approved shall be occupied until details of screen/boundary walls and/or fences, including gates to enable safe, dry means of escape in the case of flood have been submitted to and approved in writing by the Local Planning Authority.
3. C8Biv (Car and cycle parking spaces to be constructed and retained and no doors to be installed on garages) (amended)
4. C12Ai (Materials for roof to be approved)
5. C18B (Removal of PD rights for extensions and curtilage buildings over 10 cubic metres)
6. C18Cii (Obscure-glazing of east side windows)
7. C18Ei (No additional east side windows)
8. C9Aii (No vehicular access until satisfactory pavement crossing formed)
9. C17Di (Measures to protect habitable rooms from road noise)

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