Application Number: ADC/0024/08 **Recommendation – APPROVE**

Site: **'Overstrand', Shopsdam Road, Lancing BN15 8ES**

Proposal: **Demolish existing house and erect 3 detached three-bedroom houses (with rear roof terraces) and parking at sides**

The Application

The site is located on the west side of this unadopted unmade road, the road being raised above the low-lying land either side. The road also serves as a public right of way on foot to the seafront and beach. The site lies adjacent to seafront foot/cyclepath and is opposite the Lancing Sailing Club at the front and with a boat park at the rear.

It is currently occupied by a dwelling which is single storey where it fronts onto Shopsdam Road but increases to two storeys to the rear due to the much lower ground level at the rear. The building is linked to another dwelling, 'The Old Lifeboat House' to the north by a glazed side extension.

Permission is sought to demolish the existing dwellinghouse and erect 3 detached dwellinghouses, fronting Shopsdam Road. Each dwellinghouse would be identical in design and have parking for two cars on its northern side. Each building would be approximately 10 metres wide and 10 metres deep.

The design shows three bedrooms with bathrooms on the ground floor (raised about 0.8m above road level) with open plan living space on the first floor with a large rear roof terrace. The first floor would be within the roofspace and served by front and rear flat-roofed dormers. A brick plinth up to 2m in height is proposed at the rear due to the drop in ground level.

The application is accompanied by a Design and Access Statement, Transport Statement and Flood risk Assessment.

Consultations and Representations

County Transport Planning Services: Originally objected on grounds that it had not been demonstrated that the junction with the A259, in terms of visibility, meets standards appropriate to serve the increased traffic generated by the proposed development and also that there was no indication of arrangements for service vehicles; no inclusion of surfacing of the first 10m of the unadopted road to prevent loose material from being carried onto the A259; and no indication of pedestrian visibility splays at the proposed individual accesses onto Shopsdam Road.

Subsequently, WSCC received further information from the applicants and, in negotiations, accepted that the applicants had no control over the road such as to be able to surface its first 10m from the A259 junction. Their objection has now been withdrawn subject to a condition being imposed requiring a low wall to define the edges of the access driveways for each property (to give some pedestrian visibility for emerging vehicles) and to a section 106 Obligation requiring a payment of £3,360 to sustainable transport improvements in the area.

Environment Agency: No objection subject to imposition of planning conditions requiring the floor levels to be at a minimum of 6.1mAOD (in accordance with the applicant's FRA) and provision to deal with any contamination encountered during construction.

WSCC Public Rights of Way: No objection but comment that no part of the Shopsdam public right of way must be obstructed or its boundary altered; down pipes or soakaways associated with the development should be discharged into an existing drainage system and away from the surface of the public footpath; and access along the public footpath by contractors vehicles is only lawful if the applicant can prove a vehicular right.

Lancing PC: No comments heard.

Third Parties: 4 letters/e-mails have been received from 3 residents and the Lancing Sailing Club.

The resident of 'The Boathouse' Shopsdam Road objects stating that it is a private unmade road also used as a public footpath and cycle run. It has dips which hold water when it rains and it lacks the infrastructure to take the extra cars and construction trucks, which will further damage the road.

Lancing Sailing Club state no objection in principle and on balance accept that redevelopment is probably inevitable on this brownfield site. However, they do raise concerns over access to the development as it also serves the sailing club which has an unobstructed right of passage at all times. They refer to recent problems with the road being blocked by nearby residents and emphasise that they need access at all times and that emergency vehicles need to access the site because of the inherent hazards of sailing activity. This is one of the few access roads serving the public beach available to the Coastguard and ambulance and fire services. They disagree with WSCC's requirement for low walls at the sides of the proposed driveways and consider they would actually compromise safety by dissuading residents from using their off-road parking space because the walls would reduce manoeuvring space and result in risk of damaging their cars. There is particular concern about obstruction during construction of the houses by builder's materials and their vehicles and these need to be on-site or elsewhere. They support the rounding off of the wall at the junction of Shopsdam Rd with the seafront cyclepath.

Another person, address not given, expresses concern over the proposed walled enclosure around the south-eastern corner boundary of the proposed

southernmost house (where Shopsdam joins the seafront); if it is higher than 1 metre it would appear visually out of place as there are no other solid high barriers and it would reduce visibility for pedestrians and cyclists.

The resident of No.56 Brighton Road questions how the site of one bungalow can accommodate 3 houses unless they are "rabbit hutches" and states that the sea has come over the sea defences many times in the last 30 years and, although they are now improved, it could happen again and it would be very unwise to allow the development to proceed as future weather cannot be predicted.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005) (saved policies): LOC1, CH1, NE1, ERA1, ERA3-4, DEV1, DEV3-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH5 and Appendix 11 'Supplementary Planning Guidance' comprising:-
Development Control Standard No. 3 'Space Around New Dwellings and Flats.'
Revised West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003 and ADC 2004)
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPS3 'Housing' (DCLG 2006)
PPS25 'Planning and Flood Risk' (ODPM 2006) & Circular 04/07

Planning Assessment

Policies

The site is located within a residential part of the built-up area and the proposal constitutes redevelopment and 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 development of 'unidentified' infill sites is necessary. However, the suitability of individual sites for development depends upon many factors including the adequacy of the means of access to the land, the character of the locality and the siting and configuration of existing and proposed dwellings.

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; it achieves safe and convenient access by a 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 explanatory text refers to a transport contributions methodology (now adopted as TAD payments to sustainable transport improvements).

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 appearance, 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, materials, 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'.

Residential amenity

The main property affected is 'The Old Lifeboat House' to the north of the site. This property as existing is attached to 'Overstrand'. It has a rear balcony which is set in from the boundary of the site. There would be a distance of 3m between this property and the most northerly of the proposed dwellings, with space for car parking in between. A 1.8 metre boundary fence is proposed along the boundary.

It is not considered that there would be any adverse impact on this neighbouring property. The proposed building would extend no further to the rear and would only have a slightly higher ridge height. The rear balcony to the neighbouring property is at a lower level than the balcony on the proposed northern dwelling and, despite the distance, it is considered that there should be some screening erected on the sides of all three proposed balconies to avoid mutual overlooking and create sufficient privacy. A condition should be imposed requiring details to be submitted and approved prior to commencement of works.

With regard to other aspects of the residential amenities of the proposed dwellings, it is considered that light and outlook would be acceptable. The rear gardens differ in size markedly from north to south. The northern house would meet the D.C standard of 11 metres depth and greatly exceed the standard of 85sqm area. The garden of the middle house would 8m-10m deep with an area of 110sqm. The garden of the southern house would be only 5.5m-7.5m deep and its area 70sqm. However, due to the open aspect to the rear and towards the beach, this is considered acceptable.

Visual amenity

Although raised up above the existing road level and extending further south to abut the seafront footpath, the scale, height and design of the proposed

dwellings are considered to be acceptable in the circumstances of this site. The Old Lifeboat House and The Boat House to the north already abut Shopsdam Road and are of broadly similar height to the proposed buildings. The Old Lifeboat House, however, has a hipped roof, rather than gabled roof and the existing dwelling 'Overstrand' is set well away from the seafront footpath, albeit with a brick screen wall on part of the boundary.

The proposed buildings would be visible not only within Shopsdam Road but more so than the existing dwelling within views from the coastal foot/cyclepath from both the east and west. It is considered that the design pays sufficient regard to the scale of the existing nearby dwellings but in a more striking modern style, with the use of timber cladding and slate; the details of which need to be conditioned.

The rear roof terraces would be a prominent feature when viewing the buildings from the seafront path to the west, the southernmost one abutting the boundary at its rear corner, but these are considered a design feature which contributes to the character of the seafront buildings, including the sailing club.

Flood risk

A Flood Risk Assessment (FRA) has been submitted with the application and the Environment Agency (EA) has no objection to the proposal subject to a condition requiring the floor level to be a minimum 6.1mAOD. Although within zone 3a (high probability) on the EA's flood risk map, the submitted FRA states that the existing sea defences are at 6.06m-6.12mAOD, above the predicted one in 200 year 5.5m flood event level predicted for the year 2115. Although unlikely that wave overtopping would occur except in the most extreme conditions, the applicant's consultant advises that the ground floor level should be set at 6.1m. It states that a safe route of escape exists and that various flood resilience measures can be included in the construction.

Highway issues

One of the main concerns with the proposed development is that it would generate additional vehicular traffic using Shopsdam Road. This is a narrow unadopted road of extremely poor construction which is a cul-de-sac lacking any turning head. The buildings abut its western side. Access by service vehicles is very difficult. As stated by the Lancing Sailing Club, there are already concerns about the road being obstructed as it provides one of the few vehicular access points to the public beach for emergency services. Cars are frequently parked in front of the existing dwellings further reducing the usable road width and manoeuvring space.

It is also a public footpath (right of way 2050) linking to the seafront public path and cycleway and the safety of pedestrians is another concern.

However, WSCC as both the local highway authority and public rights of way authority, now have no objection to the proposals. The site is in a relatively

sustainable location very close to a bus route with a frequent service and not a great distance from the centre of Lancing and the railway station. Two parking spaces are to be provided for each of the dwellings, located on the north side of each dwelling, which accords with the adopted maximum standard.

WSCC have withdrawn their original objection and consider that, for the amount of traffic likely to be generated, visibility along Brighton Road from the Shopsdam Road junction is acceptable. They accept that the applicant cannot surface the first part of the road to prevent loose stones being carried onto the A259. They also consider pedestrian visibility from the proposed individual accesses onto Shopsdam Road itself would be acceptable subject to the accesses being narrowed down with 0.8m walls either side to keep emerging cars away from the corners of the buildings and enable pedestrians to see emerging vehicles. A condition is recommended requiring details of these walls to be approved prior to commencement of works. However, there is some concern, as raised by the Sailing Club, that these walls reduce manoeuvring/turning space.

With regard to concerns about obstruction during the construction phase, a condition is recommended to be imposed requiring provision to be made on-site for unloading/loading contractors' vehicles and storing construction materials. However, an enforceable planning condition cannot validly be imposed to prevent loading/unloading, storage or parking taking place on Shopsdam Road as it is not land within the applicant's control.

With regard to the sustainable transport contribution to offset the effects of the traffic generated, the applicants have already ~~completed~~ submitted a section 106 Obligation undertaking to pay the calculated £3,360 but it has yet to be engrossed.

Recommendation

Subject to engrossment of S. 106 Obligation,
APPROVE for reason that:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties, without unacceptable flood risk and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2) and the adopted West Sussex Structure Plan 2001-16 (LOC1, NE1, CH1, ERA1, ERA4, DEV1, DEV4-5).

Subject to:-

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls and fencing to be approved and implemented)
3. C8Bi (Parking spaces and access facilities to be constructed and retained)
4. C9Ai (Pavement crossing details)

5. C9F (Visibility splays for access to be approved and retained) (amended)
6. C9N (Temporary provision for contractors' vehicles, materials etc on the site)
7. C9S (Temporary wheel cleaning facility during construction work)
8. C11A3 (Hard and soft landscaping scheme to be approved and implemented)
9. C12Ai (External materials for walls and roofs of buildings to be approved)
10. C14H (Existing building to be demolished prior to development)
11. C18A (Floor level to be set at minimum 6.1mAOD) (amended)
12. C18B (Removal of permitted development rights for extensions or sheds over 10 cubic metres)
13. C18Cii (Provision of obscure-glazed side screens to balconies in accordance with details to be approved) (amended)
14. C18K (Provision for waste storage)
15. C18N (Details of drainage to be approved and implemented)
16. C18Ri (Ground contamination investigation) (amended)

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