

PLANNING APPLICATION REPORT

REF NO: LU/105/09/

LOCATION: 25 Maxwell Road
Littlehampton

PROPOSAL: Amendments to approved application LU/359/08 for new garage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The garage will measure approximately 7m x 6.5m x 2.6m high.
SITE AREA	Approximately 170 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front and side elevations of the main building face directly onto the pavement. The rear of the site is enclosed by an approximately 1.8 metre high brick wall.
SITE CHARACTERISTICS	The site is occupied by a 2 storey end of terrace building which previously had a fish and chip shop on the ground floor. The building has red brick elevations with pebble-dash within a gable end to the front. The shop front remains and has white painted brickwork between the windows and a fascia above which wraps around the north and west elevations, which is currently boarded up. The roof is tiled and pitched. There is residential accommodation above the shop and contained within a two storey gable roof rear extension and a single storey gable roof extension, both positioned to the rear of the existing dwelling. There is a group of outbuildings at the far end of the rear garden.
CHARACTER OF LOCALITY	The site is located on a residential road which is characterised by high density terraced two storey buildings which are, almost without exception, used as dwellings. No.19 Maxwell Road has a garage to the rear of similar design and scale.

RELEVANT SITE HISTORY

LU/243/08/	Construction of new 2 Bedroom dwelling on land to the rear of property.	Approve Cond 31-10-2008
LU/359/08/	Change of use from hot food take away to residential . Demolition of existing sheds and erection of two new garages.	Approve Cond 23-03-2009

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways: Objection

The plans do not show adequate visibility requirements. The applicant should provide a detailed plan showing the maximum achievable visibility from both the garages and new access point. This should also include pedestrian visibility splays of 2m by 2m to ensure pedestrian safety, particularly as the garage to the far east of the property would be adjacent to Public Footpath 8Li. The height of the fence abutting the other vehicle access is also not indicated, hence it is unclear if this will create an obstruction to visibility for emerging vehicles. Given also that the garages are situated on the back edge of the foot way, the operation of the up and over garage doors would also create an obstruction and hazard to pedestrians and therefore not be acceptable.

County Highways: (2nd response) Refuse

The proposed amendment to the approved garages would result in up and over garage doors projecting over the public foot way to the detriment of the highway safety.

County highways: (3rd response) Advice

The applicant has now overcome the reason for refusal by proposing roller shutter doors for the garage, which will ensure that the doors do not project over the public foot way.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan: [GEN2](#) Built-up Area Boundary

GEN7

The Form of New Development

PLANNING POLICY GUIDANCE

PPS1
PPG13

Delivering Sustainable Development
Transport

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan or legislative background.

CONCLUSIONS

The proposed application is for amendments to the previously approved application LU/359/08 for a new garage to the rear of the site. The current application seeks to alter the previously approved application in order for the entrance to the garages to front Linden Road to the north of the site. It is noted that the neighbouring property to the north No.19 has a garage of similar scale facing onto Linden Road.

The proposed double garage will replace existing outbuildings of various sizes and shapes to the rear of the site, therefore it is considered that the garage would give a more ordered appearance to the rear of the site. The garage building will be single storey and will be approximately 0.6m above the existing boundary treatment, therefore is considered to have a low impact on the amenities of neighbouring residents due to its scale. The property opposite, No. 19 Maxwell Road has a garage to the rear with access from Linden Road and this is similar to the scheme proposed.

County Highways have advised that the previous objection on highway safety grounds has now been overcome with the omission of the up and over doors to be replaced with roller shutter doors which will not project onto the public footpath and therefore County Highways have withdrawn their objection to the proposed screen.

It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The garages hereby approved, shall not be brought into use until the vehicular crossover access to the site from Linden Road has been provided in accordance with the approved plan.

Reason: In the interests of public safety in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The garage hereby permitted shall not be used until roller shutter doors have been installed, which shall remain in place thereafter.

Reason: In the interest of public safety in accordance with planning policies GEN7 of the Arun District Local Plan.

- 4 **INFORMATIVE:** The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Lane, Drayton, Chichester, PO20 6BW, (Tel no: 01243 836900) to obtain formal approval from the highway authority to carry out the site access works on the public highway

- 5 **INFORMATIVE:** Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN7

NATIONAL POLICIES: PPS1, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.