

Recommendation Report for Planning Permission

REF NO: LU/113/22/PL

LOCATION: 73 Manning Road
Littlehampton
BN17 7HX

PROPOSAL: Removal of double garages and provision of 1 No detached 2 bedroom 4 person dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct 1 No. dwelling within the residential side garden of 73 Manning Road. The proposed development would be located on the site of an existing large flat roofed double garage which is positioned between two dwellings, 73 and 71 Manning Road. The proposed development comprises the demolition of the existing double garage and the construction of a detached two storey dwelling. Externally, the new property would include a garden area to the rear and a driveway with parking for two cars to the front. The existing dwelling (no. 73) would be retained with a side/rear garden and 2 parking spaces. Cycle parking and refuse and recycling storage would be provided within the rear garden for both dwellings. The proposed dwelling will be lower in height than the host dwelling and neighbouring properties, but the eaves height would be the same.
SITE AREA	316.6sqm
RESIDENTIAL DEVELOPMENT DENSITY (NET)	31 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low walling to site frontage.
SITE CHARACTERISTICS	The site is part of the residential garden to 73 Manning Road which is a semi-detached, two storey, three-bedroom dwelling of traditional design and finished in brick with a hipped roof finished in concrete interlocking plain tiles. The plot includes a side/rear garden with a substantial double garage and driveway set to south of the main building.
CHARACTER OF LOCALITY	The area is part of a residential street, comprising a uniform character of 2 storeys with hipped roofs, set in medium plots set back from the highway by gardens/parking areas.

RELEVANT SITE HISTORY

LU/409/86	Outline Application For The Erection Of One Dwelling	Refused 24-11-86
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REPRESENTATIONS

Littlehampton Town Council - No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Drainage Engineer - No Comment.

Environmental Health - No Objection. Construction hours should be conditioned.

County Highways - No Objection.

Access and Electric Vehicle Charging Point should be conditioned.

Any displacement of parking would be considered a low impact on the capacity and safety of the public highway.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Condition suggested by EH not necessary for 1 dwelling.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
TSP1	T SP1 Transport and Development

Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
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Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
SPD3	Parking Standards

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies of Littlehampton Neighbourhood Plan have been taken into account.

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 there would be no materially adverse effect on visual or residential amenity or the character of the area.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and provided it is in accordance with other policies of the Local Plan covering such issues as visual amenity/character, residential amenity and parking. In this case, the key policies of the Arun Local Plan are D SP1, D DM1, D DM2 and T SP1 of

the Arun Local Plan and Policies 1, 2 and 22 of the Littlehampton Neighbourhood Development Plan.

Policy D SP1 "Design" states that all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy D DM1 sets out 15 aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

Policy D DM2 relates to internal space standards which take guidance from the Nationally Described Space Standards.

Policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Policy ECC SP2 states that new residential dwellings are expected to be energy efficient and seeks to incorporate decentralised, renewal and low carbon energy supply systems to meet current standards.

Policy 1 of the Littlehampton Neighbourhood Development Plan (LNP) states that permission should be granted where applications accord with the relevant policies in the Neighbourhood Plan. The proposal is in compliance with this Policy in that the proposal accords with the Development Plan in the form of Policy D DM1 of the Arun Local Plan.

Policy 2 of the Littlehampton Neighbourhood Development Plan (LNP) seeks to focus development within the built-up area boundary. The proposal is in accordance with this policy due to the siting of the application site being within the built-up area boundary.

Policy 22 of the Littlehampton Neighbourhood Development Plan (LNP) relates to the design of new development and its relationship with the transport. This includes provision for car parking and the width of roads and carriageways.

The proposal is to add 1 dwelling to the stock of housing in the District where the supply of housing land is below 5 years and policy SD SP2 of the Arun Local Plan which sets the limit of BUAB is therefore out of date. In line with NPPF para 11 d) neither i) or ii) applies and permission should therefore be granted.

DESIGN

The applicant seeks planning permission for the erection of a new dwelling in lieu of the existing garage. The proposed development is in keeping with the general pattern of development in the locality in terms of site coverage and scale. The proposed dwelling would be set back a similar distance from the site frontage as the host and neighbouring property and the spacing retained between the new dwelling and those to either side would be similar to the spacing of other dwellings within the immediate area.

Whilst there will clearly be a change in appearance of the street scene with an additional 2 storey dwelling this would be acceptable given the setback position of the property and the distance to site boundaries and the varied style of properties in the area. The separation of the plot would retain a section of garden for the existing dwelling whilst providing a new garden area for the proposed dwelling and both would be commensurate with the scale of each respective dwelling and would be similar in size to several other dwellings within the wider estate. The depth of the rear garden would also be similar to that of the existing gardens at the application site in addition to nos. 75, 77 and 79 Manning Road to the north.

The design of the proposed dwelling will be very similar to that of the existing property at 73 Manning Road, and the other dwellings in this row of houses. The street scene is formed of a consistent construction of dwelling size and scale, of which this dwelling will match by infilling a gap. The host property has a larger garden than other dwellings within the area and can therefore accommodate a dwelling without upsetting the current spatial pattern of the terrace. The height, scale and massing would be appropriate within the street scene, with a ridge height set below the properties to either side and an eaves height set between, in order to bridge the gap between the two scales and typologies of dwellings. The roof would be hipped to reflect the prevailing character and the dwelling would be finished in brick with white uPVC windows and concrete tiles to the roof.

The development would accord with the Arun Design Guide Chapter P 'Infill Development' in that the development would respect the established pattern of building height, scale, plot width, boundary treatment and building line along the edge of the plot, and continue the rhythm of the street. The proposal would accord with the neighbouring properties and appear harmonious with the character of the locality in accordance with D DM1 of the Arun Local Plan, Section P of the Arun Design Guide and Paragraph 124 and 127 of the National Planning Policy Framework all of which relate to the creation of well-designed places.

The development would respect the character and appearance of the area in accordance with policies D DM1, D SP1 of the Arun Local Plan, Section P of the Arun Design Guide, paragraphs 124 and 127 of the National Planning Policy Framework.

SPACE STANDARDS

The proposal has a gross internal floor area of 79 sqm. Policy D DM2 of the Local Plan requires adherence to the Nationally Described Space Standards. According to these standards the minimum gross internal floor area for a 2-bedroom 2 storey dwelling is of 70 m². The proposal would exceed the standard and comply with policy D DM2 of the Arun Local Plan.

The rear garden would be 4.4m in length. Whilst this does not comply design guidance it is noted that this property is afforded with a side garden and is only 0.5m shorter than the existing rear garden of the host dwelling. This additional space and parity with the existing garden depth alleviate any issues with the restricted rear garden length.

The proposal accords with Policy D DM2 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed development would not project forward of 73 Manning Road, nor others in the area. The dwelling would match the set-back from the road of the dwellings to either side and would also project into the rear garden by a similar extent, thereby ensuring there would be no adverse overshadowing or loss of outlook to rear facing windows and external amenity areas. There are no first floor side facing windows and additional windows would be controlled by condition to ensure that there would be no loss of privacy or overlooking to neighbouring dwellings.

The dwelling would be set a sufficient distance away from neighbouring dwellings and all windows at no. 73 which face towards the application site are either secondary or serve non-habitable rooms.

It is noted that the rear garden depth is only 4.4m and this would afford direct overlooking to the rear garden of no 64 Belloc Road from the first-floor bedroom window in the rear elevation, but this is only slightly shorter (0.5m) than the distance to this boundary from the host dwelling which exists at present and is therefore acceptable.

The proposal accords with Part P of the Arun Design Guide and policy D DM1 of the Arun Local Plan.

PARKING AND TRANSPORT

The proposed dwelling is in an established residential area, and it is not considered that the increase in associated vehicular movements would result in a severely harmful impact upon the local highway. Parking standards as stated by the Arun Parking Standards Supplementary Planning Document require for a three-bed dwelling in this area 3 spaces (host property) and a 2 bed unit of 2 spaces (new dwelling). The proposal includes the provision of two parking spaces to the front driveway for each unit which would measure 2.4m x 4.8m. The parking provision for the new dwelling would accord with the standard, but the host dwelling would be short of one space. On street parking does occur in the road which is not subject to parking restrictions and the site is sustainably located close to bus stops and local shops. This shortfall would therefore be acceptable. The provision of an electric vehicle charging point would accord with the requirements of Arun's parking standards and is recommended to be controlled by condition. Cycle parking provision (2 spaces) can be conditioned. The proposal accords with policy T SP1 of the Arun Local Plan.

Whilst the proposal does not comply with one aspect of T SP1 of the Arun Local Plan and policy 22 of the Littlehampton Neighbourhood Plan in that it fails to provide the required off street parking, for the reasons given above it is acceptable and not a reason on its own to refuse this application. The proposal would not result in a severe impact upon the highway.

ENERGY EFFICIENCY

The application has not considered energy efficient and low carbon energy supply measures and it is believed that there is an opportunity on site to provide energy saving technology. It is felt that this could enhance the quality of life for the proposed occupants and future proof the development, an opportunity which must be taken. Whilst it is not the remit of development control to stipulate which measures are suitable for a site, it could be conditioned (if the scheme was otherwise acceptable) that the applicant provide a statement of Energy and Climate Change Mitigation Measures and how the proposed development intends to meet current standards and future proof the development.

Currently the development does not accord with Policy ECC SP2 of the Arun Local Plan. However, as stated this could be addressed by way of condition.

BIODIVERSITY

Arun Local Plan policy ENV SP1 and NPPF indicates that developments should aim to maintain and enhance, restore, or add to biodiversity and geological resources of the area and policy ENV DM5 seeks to achieve a net gain in biodiversity. No ecological report has been submitted setting out the biodiversity present and appropriate mitigation for any loss and how biodiversity gains can be made. In order to ensure compliance with policy ENV SP1, required enhancements are the subject of a condition.

SUMMARY

The development is acceptable in terms of residential amenity and impact on the character of the area and is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1

of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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 development hereby approved shall be carried out in accordance with the following approved plans:

Location and Block Plans 20062/01a

Existing and Proposed Street Scenes 20062/04

Proposed Block and Site Plans 20062/02a

Proposed Section 20062/03

Proposed Floor Plans, Elevations, Roof Plan 20062/01

Existing Floor Plans Elevations and Roof Plan 20062/01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no 'noisy' work on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 4 Prior to occupation of the dwelling, a scheme for the provision of facilities to enable the

charging of electric vehicles to serve the approved dwelling shall be submitted to the Local Planning Authority for approval and thereafter implemented in accordance with the approved details and the charge point shall thereafter be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum.

Reason: New petrol and diesel cars / vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017), Arun's Parking Standards and the National Planning Policy Framework (NPPF).

- 5 The use of the car parking spaces shall not commence until the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy T SP1 of Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 7 No windows shall be constructed at first floor level in the side elevations of the dwelling hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 of the Arun Local Plan.

- 8 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 to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, policy T DM1 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until car parking spaces have been provided on site in accordance with the approved Proposed Site Plan. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the occupiers of the dwellings, in accordance with policy T SP1 of the Arun Local Plan.

- 10 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable in the form of an Energy Statement of how this is to be achieved (including details of physical works on site, sustainable construction methods, energy conservation and energy efficiency measures and renewable energy sources), shall be submitted to and approved in writing by the Local Planning Authority before any development above damp-proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter,

unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy, reduce energy use, and ensure the development is sustainable, in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 11 Prior to occupation of the dwelling biodiversity enhancements shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority. The enhancements shall be retained thereafter.

Reason: To enhance biodiversity in the local area and result in a Net Biodiversity Gain on site, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 12 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 13 INFORMATIVE: Vehicle Crossover - Minor Highway Works
The Local Highways Authority (LHA) advises the applicant that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee the permission of a Vehicle Crossover (VCO) licence.
Please see the following link on details pertaining to the licence application process:
<https://www.westsussex.gov.uk/carriageways-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>
Online applications can be made at the link below, alternatively please call 01243 642105.
<https://www.westsussex.gov.uk/carriageways-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>