

Recommendation Report for Planning Permission**REF NO:** LU/150/14/PL**LOCATION:** 57 Stanley Road
Littlehampton**PROPOSAL:** Proposed removal of existing dwelling & erection of a terrace of 3 No. 2 bed houses with parking.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The application seeks permission to demolish the existing 4 bedroom dwelling and replace it with a terrace of 3, 2 storey 3 bedroom dwellings.
SITE AREA	1175 sq metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	26 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open site frontage. Fencing/hedging to site boundaries to approximately 2 metres
SITE CHARACTERISTICS	Detached 2 storey dwelling. Rendered elevations. Plain tile roof. Single storey extension to one side, flat roofed garage to other side.
CHARACTER OF LOCALITY	Predominantly residential. Characterised by mainly semi-detached 2 storey dwellings of similar design set back a uniform distance from the road frontage. Bungalows to the rear in Gladonian Road.

RELEVANT SITE HISTORY

LU/257/97	Extension	Refused 27-01-1998
LU/37/98	Single storey flat roof side and rear extension to form bedroom with en-suite bathroom and dining/living room	ApproveConditionally 27-04-1998

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection - Overdevelopment of site

11 letters of objection including a petition with 18 signatures. This is a ridiculous proposal. It will break up the community spirit of the road. It will look awful. Parking problems on the road will increase. There is already insufficient parking and the proposed level of car parking is inadequate. Concern regarding access for emergency vehicles, construction traffic parking, noise and dust. Why hasn't a notice been displayed? Would detract from the character of the street. Proposed new houses will not be in keeping with the area. 3 houses would be crammed into corner. Will cause chaos and upset shift workers. Will overlook adjacent properties to side and rear, leading to loss of privacy. The development is on a sharp and blind bend. Devaluation of property. Would face onto a brick wall. The character of the road is defined by 3-4 bedroom family homes which are detached or semi-detached, not 2 bedroom terraces. It is not considered that the application has an adverse impact on residential amenity with regard to loss of privacy given the distance to the rear boundary and the lack of any side facing windows at first floor.

Comments on Representations received:

The application was advertised in accordance with procedure. Devaluation of property is not a material planning consideration. It is agreed that the proposal would be cramped and out of character with the area. Insufficient information has been submitted to prove that adequate parking is available. Noise and disturbance from construction traffic would be for a limited period only and is covered by other legislation.

CONSULTATIONS

Economic Regeneration

Environment Agency

WSCC Strategic Planning

Engineering Services Manager

Engineers (Fluvial Flooding)

Consultations responses received:

Environment Agency - Applicant is not within remit for consultation

Engineers - Standard condition suggested

County Highways - More information is required to demonstrate that adequate parking is available

Comments on Consultation responses:

- comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN7](#)
[GEN12](#)
[DEV17](#)

[Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections \(February 2014\):](#)

The Form of New Development
Parking in New Development
Affordable Housing

D DM1 Aspects of Form and Quality
D DM2 Internal Space Standards
D DM3 External Space Standards

D SP1 Design

PLANNING POLICY GUIDANCE

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.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council agreed the majority of the Arun Local Plan in February 2014 (Publication Version) and this is a material consideration in the determination of this planning application. The remaining chapters of the Local Plan namely: the Spatial Portrait, Employment & Enterprise, Housing Allocations, Transport, Monitoring and Implementation will be considered for publication at a later meeting of Full Council. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place. The chapters that have been published will undergo public consultation alongside the remaining chapters when they have been agreed. The weight given to the current published policies can be significant depending:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The policies within this published version of the plan are at an advanced stage as they have been agreed by Full Council for regulation 19 consultation, they have been subject to independent audit and are considered to meet the NPPF and there are no known significant unresolved issues arising from regulation 18 consultation for the published policies.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place once the remaining chapters / policies have been published.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst

an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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 and/or legislative background.

CONCLUSIONS

The site is located within the built up area boundary where the principle of redevelopment is acceptable subject to adherence with development control criteria.

The proposal would provide 2 additional dwellings in the form of a terrace of 3 units on a bend in the road and the dwellings would be set back behind the adjacent dwellings in Stanley Road. The height of the dwellings would be comparable with others in the locality, but the form and elevational treatment would not reflect adjoining properties. The relatively bland flat front elevations proposed with no projecting bay windows or recessed porches would not blend in with the existing style of the surrounding development which was constructed around the same time and incorporates these design features.

The existing 2 storey dwellings are positioned a uniform distance from the site frontage and the set back nature of the proposal would be out of keeping with this established pattern of development.

The character of the road is defined by detached and semi-detached dwellings of similar design with space to boundaries. The proposed terraced dwellings would straddle the site at first floor level. The bulk and footprint of the existing building would be significantly increased and the development would be readily visible in the street scene given the prominent location of the development on a bend where views along the road are focused. The existing dwelling retains a gap of at least 2.5m to both site boundaries at first floor which defines the detached nature of the dwelling in the street scene and visually sets it apart from the adjoining semi-detached dwellings. This ensures that the character of the area is relatively spacious. This space would be eroded and although a gap of 1m to each side boundary is retained this would not be sufficient to prevent the character of the area being adversely affected by the provision of terraced dwellings.

The existing dwelling has a hard surfaced front garden area capable of accommodating at least 3 cars. The proposal would only allow one car space per unit, given the tapered nature of the site frontage. On the basis of the information currently submitted this could potentially result in on street car parking that may not easily be accommodated and could have an adverse impact on highway safety.

The Emerging Arun District Local Plan has introduced a requirement for development to accord with minimum external and internal space standards. The rear garden sizes and length are acceptable and accord with policy DDM3, but the downstairs bathroom sizes and second bedroom of the 2 outer plots are undersized and do not accord with policy DDM2.

With regard to residential amenity the impact of the development on neighbouring properties is acceptable in terms of overlooking given the lack of first floor windows in the side elevation and the distance to rear boundaries. The adjacent property to the east, no 59, has a garage on the boundary and therefore even though the 2 storey element would be parallel with this boundary and only 1m from it, it is considered that there would not be an adverse impact on the residential amenities of this property by overbearing effects. To no 55 the impact is limited given that the development is angled away from the boundary.

The application is therefore recommended for refusal for the following reasons

HUMAN RIGHTS ACT

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 (the right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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 neutral 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).

SECTION 106 DETAILS

A section 106 Agreement relating to payment of contributions totalling £4968 towards affordable housing has been submitted with the application.

RECOMMENDATION

REFUSE

- 1 Given the form and design of the development and the size and shape of the site, it is considered that 3 terraced dwellings and private amenity space cannot satisfactorily be accommodated without damaging the character of this established residential area. The proposal would therefore result in a bulky form of overdevelopment which would be detrimental to the character and appearance of the surrounding residential area, contrary to policy GEN7 of the Arun District Local Plan and policies DDM1 and DSP1 of the Emerging Local Plan.
- 2 It has not been satisfactorily demonstrated that there would be no increase in the pressure for on-street parking in the area or that there is sufficient space available for parking on-street. The proposal therefore conflicts with policies GEN7 and GEN12 of the Arun District Local Plan and policies DSP1 of the Emerging Local Plan.
- 3 Having regard to the internal room sizes 2 of the proposed units of accommodation would give rise to an unsatisfactory environment for the occupiers in conflict with policy GEN7 of the Arun District Local plan and policy DDM2 of the Publication Version of the Emerging Arun District Local Plan (February 2014) and the National Planning Policy Framework
- 4 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.