

Recommendation Report for Planning Permission

REF NO: LU/159/19/PL

LOCATION: 2 Croft Cottages
Pier Road
Littlehampton
BN17 5LS

PROPOSAL: New maisonette over parking area, extend crossover & alterations to rear fenestration.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application proposes the creation of a new single dwelling. This is proposed by a two and a half storey addition to the southern end of a pair of semi-detached dwellings fronting Pier Road. The width of the proposed dwelling will be 8.66m with a depth of 3.65m.

At ground floor two garages are proposed (one serving the existing property - No. 2, one serving the proposed dwelling incorporating a new front entrance.

The proposed dwelling includes 5 dormer windows within the roof slope. Two of these face the street and are aligned with first floor windows below, and three on the rear elevation. The proposed ridge line is 0.785m higher than that of the adjoining property (No.2).

SITE AREA 0.025 ha

RESIDENTIAL DEVELOPMENT DENSITY (NET) N/A

BOUNDARY TREATMENT Combination of low brick wall and fencing to the front elevation to a height of approx. 1.8m. Slightly higher fencing to the side and rear boundaries.

SITE CHARACTERISTICS The site is currently an area of hard standing to the side of the existing property. There is a gate to the front that allows for the parking of a single vehicle.

CHARACTER OF LOCALITY The area is predominantly residential. However, there are also a number of ground floor commercial uses and a large builders merchants to the rear of the site.

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
 Littlehampton Town Council - No objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

CONSULTATIONS

Engineering Services Manager
 Engineers (Drainage)
 WSCC Strategic Planning
 Environment Agency
 Environmental Health

CONSULTATION RESPONSES RECEIVED:

WSCC (Highways)

- The existing access is to be widened and will serve both the existing and proposed properties. An inspection of collision data provided to WSCC by Sussex Police reveal no recorded injury accidents resulting from road layout within the vicinity of the site. Therefore there is no evidence to suggest that the access is operating unsafely, or that the proposed works would exacerbate an existing concern.
- Visibility is sufficient to the south but not to the north. However, given that the existing access has operated safely without reported accident, there is no evidence to suggest it is operating unsafely.
- The crossover works will require the relocation of the street light located on publically maintained highway fronting the application site.
- it is recommended that the applicant revises the dimensions of the garages to meet Manual for Streets minimum internal dimensions.
- Whilst on-street car parking is limited in the immediate vicinity, there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detriment to highway safety.
- The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.
- Planning conditions recommended.

ADC Engineers - The Environment Agency should be consulted regarding flood risk as the site is within flood zone 3. Due to the small scale of development we have no conditions to request. Surface water drainage should be designed and constructed in accordance with building regulations.

ADC Environmental Health - No objections subject to conditions in respect of construction hours, external lighting, internal and external noise levels and contamination.

Environment Agency - No objection subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Noted

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
SDSP2	SD SP2 Built-up Area Boundary
WDM2	W DM2 Flood Risk

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

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.

Policies within the Littlehampton Neighbourhood Plan have been taken into account in reaching this decision.

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 not result in a significant impact on the character of the area and the proposals do not result in a loss of residential amenity.

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 application proposes the erection of a single dwelling to adjoin the southern side of an existing semi-detached pair of properties. The proposed dwelling will be the same width as the existing dwellings.

However, it's ridge height will be approximately 0.8m higher than the existing semi-detached dwellings because the existing dwellings have a flat roof and not a full ridge apex.

Further, the additional height is utilised to create accommodation within the roof slope. two small flat roofed dormer windows are proposed on the front elevation, and three on the rear, to create bedroom accommodation (two bedrooms). This is because the ground floor is given over to parking for the existing property to the north (one space) and the proposed property (one space with cycle parking and a front door access to the first floor).

CHARACTER

The existing pair of semi-detached dwellings sit in an isolated position within the street with no other buildings immediately adjoining the site. whilst the site is relatively small, it is capable of accommodating the single dwelling proposed and the proposals will provide a single dwelling that is comparable in scale to the existing dwellings. Buildings on the opposite side of Pier Road are of a significantly greater scale and the application proposals would not be out of character with the scale of building in the area.

The slight increase in ridge height will be perceptible in the streetscene as will the inclusion of dormer windows. However, whilst these will appear different to the adjoining, there is no necessity to repeat the built form adjoining in an area of mixed character.

RESIDENTIAL AMENITY

Due to the proposed orientation immediately to the south of the existing gable end, there will be no unacceptable impacts on the existing properties to the north as a result of the proposals.

The proposed dwelling will only benefit from a small rear amenity area. However, this is considered to be acceptable for a small dwelling in a town centre location with lots of public open space within close proximity of the dwelling.

HIGHWAYS & PARKING

The proposed 2 bed dwelling will benefit from one off street car parking space and the existing adjoining property will be provided with one car parking space. As a town centre location, this is considered to be acceptable. There are comprehensive parking restrictions in the immediate area to prevent unacceptable on-street parking and the County Council have confirmed that there is adequate visibility.

OTHER MATTERS

Environmental Health have raised no objections subject to the imposition of conditions in respect of internal noise levels and ground conditions. Also, the Environment Agency have confirmed that they have no objections subject to measures within the FRA being implemented. These are conditioned.

SUMMARY

The proposals do not result in a form of development that will be significantly out of character with the area or that will have an adverse impact on residential amenity. As a result, they are considered to be acceptable when assessed against the relevant development plan policies.

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.

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:

19023 - 101A Location & Block Plan
19023 - 203 Survey Floor Plans
19023 - 301 Survey Elevations
19023 - 401C Proposed Floor Plans
19023 - 502A Proposed Elevations

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 part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

- 4 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling

houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 5 The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: Flood Risk Assessment (FRA) (April 2019) Critchley Architecture And Design Ltd) and the following mitigation measures it details:

- Sleeping accommodation is located on the first and second floors

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason : In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk to the proposed development and future occupants.

- 6 The garage shall be used only as private domestic garage for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety.

- 7 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.

- 8 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 buildings 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/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 9 Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses and a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate

that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a 'long-term monitoring and maintenance plan' for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and or the reporting of this in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 10 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan 2011 - 2031.

- 11 No construction 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 working activities on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan 2011 - 2031.

- 12 Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014. Details complied by a competent acoustician on sound insulation and noise reduction for buildings shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Adoption Arun Local Plan 2011 - 2031

- 13 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.

- 14 INFORMATIVE: The applicant is advised 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 that a vehicle crossover licence shall be granted.