Recommendation Report for Planning Permission

REF NO: **LU/213/14/PL**

LOCATION: Land to rear of 2-16
Sussex Street
Littlehampton

PROPOSAL: Erection of 3 No sectional concrete garages

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal relates to provision of 3 flat roofed garages. The garage closest to the entrance has a floor area of 3m by 5.8m and the 2 units at the southern end have footprints of 5.6m by 5.5m and 5.5m by 3.2m. All units have a height of 2.2m. The garages are proposed to be constructed of corrugated galvanised steel sheet for the roof and pre-cast pebble dashed concrete panels.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mixture of fencing and walling to side and rear boundaries varying between 1 and 2 metres in height.
SITE CHARACTERISTICS	Existing garage/parking area with gravelled surfacing and garage/storage units located within it. Generally flat roofed or shallow pitched.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly 2 storey terraced dwellings.

RELEVANT SITE HISTORY

LU/620/85	Erection of 1 block of 3 No garages and 2 blocks of 2 No garages	ApproveConditionally 20-01-1986

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - No Objection. Access serving the site appears to be suitable. The applicant is advised to contact West Sussex County Council regarding parking restrictions at entrance to access.

Comments on Consultation responses:

- comments noted. Contact with West Sussex is suggested as a condition.

POLICY CONTEXT

Designation applicable to site:
Within the built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN7	The Form of New Development
Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections (February 2014):		D DM1 Aspects of Form and Quality 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 proposed garages would be located within an existing area used for vehicle parking and storage. Vehicular access to Sussex Street is also existing. The 3 structures would replace some

small storage structures/sheds close to the southern and western boundaries. The compound is located to the rear of existing 2 storey terraced dwellings and is screened from public view. The proposed flat roofed single storey garages would not therefore be readily visible in the street scene.
The garages would adjoin neighbouring side and rear gardens but given their limited footprint and height it is not considered that they would materially affect the residential amenities of neighbouring gardens. The adjoining gardens, particularly to the west, are of significant length (25m) and the garages would not project significantly above boundary screening. They would not therefore cause adverse overbearing effects.
The application is recommended for approval subject to the following conditions:

HUMAN RIGHTS ACT

FOR APPROVAL
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) 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 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).

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 plan, site/block plan, 1615/01/02 and floor plans and elevation

plans 1615/01/01.
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 The garages hereby permitted shall be used solely for ancillary residential purposes and shall not be used for business purposes.

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

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 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.

5 INFORMATIVE: The applicant is advised to contact West Sussex County Council's Traffic Regulation Order team to discuss parking restrictions at the entrance to site.